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Mr. Adee
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No 839.

United States Legation,
Japan,
Tokei, July 24, 1878.

DEPARTMENT OF STATE
SEP 2
1878
RECEIVED

Mr Bingham
to the
Hon. Secretary of State.

Subject.

The private interview of H. E. Mr Ho, Chinese Envoy, with Mr Bingham in relation to a difficulty between the Governments of China and Japan concerning the recent intervention of the latter in the affairs of the Kingdom of Lew Chew. Mr Bingham states the conversation and encloses a confidential memorandum of the Chinese Minister, and calls attention to his former action upon the subject

of Japan and Lew Chew under Instruction 164.

Enclosure.

Copy of translation of Mr Hoʒ memorandum, July 24, 1878.

No 839.

United States Legation,
Japan,
Tokei, July 24, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

On yesterday His Excellency Ho Ju Chang, Envoy Extraordinary and Minister Plenipotentiary of China to this Court, called upon me and said that he desired to confer privately with me in relation to a controversy between Japan and the Imperial Government of China concerning the Lew Chew Islands. I replied to the Minister that

I

I would hear what he might wish to say, as I deemed it my duty under the treaty provisions made by my Government with China and Japan to lend my good offices, if requested by either or both the Powers in the amicable settlement of any difficulty between them, subject, however, to such instructions as I might receive from my Government after I had communicated therewith in the premises. I also stated to the Minister that it was not the policy of my Government to intervene by force in the controversies of foreign States.

His Excellency then proceeded to state that the difficulty between

China

China and Japan was this, that close political relations had obtained for centuries between the Imperial Government of China and the Kingdom of Lew Chew, the latter having voluntarily paid tribute to the former &c., but that the Japanese Government had recently asserted supreme control over the Lew Chew islands, had declared them to be a Japanese Han, and had sent officials thither who had forbidden the Lew-Chewans longer to pay tribute to China or to hold political relations with that Government. Against this action of Japan, the Minister also said, the Government and people of Lew Chew had remonstrated

last

ted both to the Japanese Government and to the Government of China and to its Ministers accredited to this Court.

His Excellency Mr Ko hassent to me by his Foreign Secretary a confidential memorandum on the subject, a translation of which I have the honor to enclose as a confidential communication.

I have thought it the more important to bring this matter to your attention because of the fact that the Department instructed me in the year 1875 (see Instruction No 164.) to make enquiry into the matter of Japanese intervention in the Lew Chew Islands, with a view especially to the maintenance of our compact with

with the Government of Lew Chew concluded July 11, 1854. (Treaties of the United States page 528.)

I beg leave to remark that in pursuance of this Instruction I made enquiry upon the subject, both verbally and in writing, of this Government, and communicated in my No 409 of date the 5th of June 1876 to the Department the reply of His Excellency the Foreign Minister to my enquiries, to the effect that since the 7th year of Meiji (1874) some Japanese officials resident in Lew Chew have been "authorized to manage all matters "which concern foreign countries", and that nothing had been done to interfere with the rights of the United States

as

as secured by its Existing Compact
with those Islands, but also
stating that 'an information will
"be made to you (me) whenever we
"(the Japanese) have anything which
"would necessarily cause changes
"in the compact existing between
the United States Government
and "the Loo Choo Han, as
"further changes are intended
"to be made in that Han".
(See Mr Terashima's despatch
enclosed with my No 409.)

I have the honor to be,

Sir,

Your obedient servant,

Mo a. Bingham

No 839.

Enclosure.

Copy of translation.

Memorandum.

Lew Chew is one of the outside fendatory States of our Empire, and has regularly paid tribute once every two years: the vessel bringing the tribute entering the port of Foo-chow, and the tribute bearers with the tribute being sent forward to Peking by the Provincial Treasurer. When a new Emperor ascends the throne, Lew Chew sends a Minister to offer congratulations. The Lew Chewan Government also sends scholars to reside and pursue

their studies in Peking, and their expenses are defrayed by our officers. When a new King (or Prince) succeeds to the throne (of Lew Chew) our Emperor sends Envoys to invest him with the title of King (or Prince) of the Central Mount. The manners, customs and literature of the country are identially the same as ours. They make use of our calendar and mode of designating the years*. There is in Foo-chow a bureau called the 'Office for the Kind Treatment of those

* [Note. Shun-chi, Kia-King, Hien-Fung, Tung-Chi, Kwang-Sii &c. are the names by which certain Chinese Emperors have been usually known, and are also used in all documents in China to designate the years during their reign, as Meiji is in Japan. D.C.Ebb.6.]

"from afar, where they (the Lew Chew ans) are comfortably lodged; and in the case of persons driven by stress of weather upon any of our coasts, the Governor of the Province always kindly lends assistance, and makes at once suitable provision for their accommodation and subsistence, repairs their vessels and sends them home to their own country. This had been the custom for more than 200 years from the time of Shun-chi [first Emperor of the reigning dynasty about A.D. 1645] until the 5th year of Hien-fung [1854] when Admiral Perry of the United States Navy negotiated with Lew-Chew a treaty containing six articles and written both in Foreign [i.e. English] and in Chinese characters. Subsequently France and Holland also entered into

treaties

treaties with them.

As to the relations of Lew Chew to Japan, its intercourse was with the feudatory State of Satsuma. In the 11th year of our Emperor Tung-chi [viz 1872] the 5th year of Meiji of Japan, the feudatory Constitution of Satsuma having been abolished, Lew Chew was forcibly [i.e. without her own consent] put under the jurisdiction of the Foreign Office at Tokio; and in the 2d moon of the 13th year [of Tung-chi] (March or April 1874) Japan invested the King [of Lew Chew] with the title of King of the feudatory State of Lew Chew, and in the 9th moon of the same year [October 1874] the affairs of Lew Chew were forcibly [i.e. without their consent] put under the jurisdiction

of the Japanese Department of the Interior. In the first year of Kwang-sü (1875) the 5th month of the 8th year of Meiji in Japan (May, 1875) the Japanese Government suddenly issued a decree with reference to Lew Chew, saying "The payment of tribute "to China by Lew Chew, and the receipt "of investiture from China, cease from "this time." The King, as well as the officers and people of Lew Chew being unwilling to comply, repeatedly sent an officer called by the title "Tah-shi Tsz-kin (purple turbanned law officer) to beg that they might be permitted to do as they had done, but after fourteen petitions to this effect had been presented, the Japanese not being able to make any reasonable

reply, sent back a rescript saying
"We find it difficult [i.e. impossible]
"to grant your request," and after
words another [rescript or endorsement]
"By no means permissible".

Japan has repeatedly sent officers to
Lew Chew to forbid and deter the
people of Lew Chew from holding
intercourse with China, and in summer
of the second year of Kwang-sü (1876)
the 9th year of Meiji in Japan, the
Lew Chewan tribute vessels not having
arrived [at Foo-chow] the Provincial
Treasurer of the province of Foh-
Kien sent a despatch to inquire
the reason. The King of Lew Chew
in reply sent a detailed state-
ment of the manner in which the
Japanese had prevented the sending

of the tribute. He also sent a purple turbanned officer named Kiang-teh-keng to present a petition praying the Chinese Government to induce Japan to desist. This was sent up by the Foh-kien officers to the Tsung-li-yamen (the Foreign Office) at Peking. The Liu Chiuan officer Tung-la-i and his colleagues now in Tokio have also repeatedly presented petitions to this Legation.

Translated by
(Sgd.) D. B. McCartee
Foreign Secretary of
H. I. C. M's Legation.

Tokio, Japan, July 24, 1878.

Walker
C. Morgan

File

United States Legation,
Japan,
Tokei, July 27, 1878.

DEPARTMENT OF STATE
SEP 2 1878
RECEIVED

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith duplicate Statement of my account for the Quarter ending June 30th, 1878.

I have the honor to be,
Sir,
Your obedient servant,
D. A. Stewart
Secretary of Legation.

Wade
Col. Morgan

United States Legation.

Yedo Japan July 29th 1878.

DEPARTMENT OF STATE
SEP 2 1878
RECEIVED

The Honorable.
William M. Evarts
Secretary of State, Washington.
Sir:

I have the honor to enclose herewith my account for salary for the quarter ending June 30th 1878

I have the honor to be, Sir,
Your obedient servant
David Thompson.

A. M. G.

Mr Adee

File

No 840.

United States Legation,

Japan.

Tokei. August 10, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Instructions Nos. 359. 360 and 361 received.

No 840.

United States Legation,

Japan,

Tokei, August 10, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of Instructions numbered 359, 360 and 361.

I have the honor to be,

Sir,

Your obedient servant,

Jno A. Bingham

No 841.

DEPARTMENT OF STATE
SEP
27
1878
RECEIVED

United States Legation,
Japan,
Tokei, September 2, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.
Acknowledging the receipt of Instruction
No 362.

No 841.

United States Legation,
Japan,
Tokei, September 2, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to acknowledge the receipt of Instruction No 362.

I have the honor to be,
Sir,
Your obedient servant,
Jno A. Bingham

File

made

No 842.

United States Legation,

Japan.

Tokei. September 2, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Report of absence on leave of himself and Messrs Thompson and Stevens at different times.

No 842.

United States Legation,
Japan,
Tokei, September 2, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to acquaint you that during the month of August I was absent in the country, but within daily communication with Tokei, thirty days, and also for the period of seven days previous thereto, during which time the Legation was open daily, Mr Stevens being present here.

These

These excursions to the mountains in the summer season for a few weeks seem absolutely necessary in this burning clime for the preservation of the health of my family and myself, and also of the Secretary and Interpreter, the former having been absent ten days and the latter thirty days at different periods this season.

I have the honor to be,

Sir,

Your obedient servant,

Jno. A. Bingham

Notes Oct 7

Specially ack'd Oct 15. Mr Polk

Ack. C. O.

No 843.

Mr Aden

United States Legation,

Japan,

Tokei, September 2, 1878.

DEPARTMENT OF STATE
SEP 27 1878
RECEIVED

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Mr Aspinall and Mr Russell, employes of the Japanese Govt, attacked at the house of the former some forty five miles from Tokei, by masked robbers armed with swords. Mr Bingham sends Mr Stevens to the scene of the attack, and he reports the wounds of neither gentleman necessarily fatal and

that every care and attention
is being shown them by the
Japanese officials.

No 843.

United States Legation,
Japan,
Tokei, September 2, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I regret to say that on the 30th instant about one o'clock in the morning the house of Mr D.W. Cl Jones, an American citizen in the service of the Imperial Government, was entered by two or more masked Japanese armed with swords who cut down Mr Jones, inflicting some six wounds upon him, and also

also severely wounding Mr Adolphus Russell, also an American Citizen in the service of this Government, who was at the time visiting and sojourning with Mr Aplons.

On the morning of the 31st ultimo at 9½ A.M. His Excellency Mr Mori, the Vice Minister for Foreign Affairs, acquainted me of the attack which had been made upon Mr Aplons and Mr Russell, and also stated that Dr Sato, a highly educated Japanese physician, who has had much experience, having been, as I am informed, physician to the Imperial Household, had immediately been called to attend Mr Aplons and Mr Russell, and

also

also that a foreign surgeon in the Japanese service had been ordered to attend the two gentlemen. I thanked the Vice Minister for the prompt attention which had been given by his Government to my two countrymen, and immediately sent Mr Stevens to Mr Aphorse' house, distant about forty five miles from this city. Mr Stevens has since returned and reports to me that the wounds of Mr Aphorse are not necessarily mortal, and that there is reason to hope that Mr Russell will soon recover, and that every attention is given by the Japanese officials to the care of Mr Aphorse and

Mr

Mr Russell.

It is with pleasure that I report that the Foreign Office sent out Mr Shioda, Chief Secretary of the Foreign Office, to look after the wants of Mr Aptons and Mr Russell, and to see that every possible attention should be given to them.

Two of the persons who committed this assault have been arrested, and have confessed their guilt, alleging that their only object was to rob Mr Aptons, not to murder him or his friend Mr Russell, but that owing to the fact that Mr Russell rose up in his bed they struck him and

also

also Mr Aplons, who was in the same room, with their swords. They deny that there was a third party with them, although Mr Russell insists that there was.

I am quite sure there was no personal ground of complaint against either Mr Aplons or Mr Russell; but, for reasons I cannot now state as the mail closes at noon today, I fear that this attack was made by men of the class in Japan who demand the expulsion of all foreigners from the Japanese service.

I have the honor to be,

Sir,

Your

Your obedient servant,

Jno A Bingham

Report dated Oct 5
Mr Polk

Aid as to ff
Mr Pleasants Oct 11 78
Mr Polk

Report on previous correspondence
C. P.

No 844.

United States Legation,
Japan,
Tokei, September 2, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

The Judicial Officers of Liew Chew, in Tokei, forward a petition to Mr Bingham, complaining of the seizure of their government by the Japanese, setting forth the past relations of their country to China and Japan, and asking the good offices of the United States. Mr Bingham incloses

the petition, calls attention to its salient points, and also to Extracts from the account of Commodore Perry's Expedition.

Enclosure.

Low Chewan officials to Mr Bingham,

August 19, 1878.

No 844.

United States Legation,
Japan,
Tokei. September 2, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to my No 839 in relation to the Lew Chew Islands and the complaint of the Chinese Government against that of Japan for its recent action, I have the honor to acquaint you that the judicial officers of the Kingdom of Lew Chew, who have been sent hither to remonstrate with this Government and prevent the

the grievances of their people, have sent to me a communication on the subject, a copy of which translated I herewith enclose.

You will observe that this communication sets forth that for five centuries Lew Chew has paid tribute to China, and that its King has received investiture from China during all that period, and that during all that period Lew Chew "has been left by China perfectly free "to carry on the administration "of her own Government."

The communication also refers to the fact that in 1854 Commodore Perry of the United States Navy negotiated a Convention with

with Lew Chew. (Treaties and Conventions of the United States page 528.) It is also stated in the communication that in 1872 the Japanese Government "issued compulsory orders "that Lew Chew should be attached "to Tokio", and that the King of Lew Chew "should be invested "with the title of 'King of a "'Dependency' and enrolled "among the Japanese nobility"; and that all business should be transacted with the Department of Foreign Affairs in Japan.

You will observe by referring to Mr Terashima's despatch to me, referred to in my No 89, that Mr Terashima, the Minister

for

for Foreign Affairs of Japan, stated therein that Japanese officials had been authorized to "manage all matters which "concern foreign countries," but that nothing had been done to interfere with the rights of the United States as secured by its existing compact with those islands. (See Mr Terashima's despatch enclosed with my No 409 to the Department).

I beg leave to suggest that what is now for the first time brought to my notice, in the enclosed communication, that Japan has issued "compul= "sory orders to Lew Chew that "all business (in Lew Chew)

should

"should be transacted with the
"Japanese Department of Foreign
"Affairs"; and that the Japanese
officials "should manage all
"matters with foreign Countries,"
does interfere with the rights
of the United States secured
by its Existing Compact with
those islands, notwithstanding
Mr Tevashima's statement.
It seems to me that this
Government is too late in
asserting supreme authority
over those islands after
allowing them perfect free-
dom for five Centuries, and
manifestly assenting to the
action taken by Liu Chew
with our own Government

in

in 1854. I beg leave to refer to Commodore Perry's report, 23d Congress, Senate Executive Document No 79, page 363, wherein the Japanese Government is reported to have said that "Lew Chew is a very distant "country and the opening of its "harbor cannot be discussed by "us; and, on page 364, that Japan "had but limited con- "trol"; and, on page 222, Commodore Perry recognized the dependence of Lew Chew upon China. Please give me instructions.

I have the honor to be,

Sir,

Your obedient servant,

M. C. Perry

No 8444.

Enclosure.

Copy of Translation.

Inas Funglai, Ma Kientsi, and their colleagues, Judicial Officers of the Kingdom of Lew Chew, impelled by the circumstances of urgent peril in which their humble country is involved, beg to present this duly prepared petition, earnestly requesting compassionate consideration thereof.

Lew Chew is a small country which from the time of Hung-wu of the Ming dynasty (in 1372) has sent tribute to China, and whose King Wu-ning received from that Empire investiture as "King of the Central

"Island" in the second year of Hung-loh (in 1399.) and this custom of receiving investiture, as well as the manner of designating the year and of reckoning time in the Chinese style, and of using Chinese written characters, has been handed down to the present time, while Lew Chew has been left by — China perfectly free to carry on the administration of her own Government. From the establishment of the Ta Tsing dynasty (in 1644) the following regulations have been in force: —

1st That the Kingdom of Lew Chew shall once in two years send to China tribute consisting of the productions of the country.

2d That upon the accession to the throne of each Emperor of China —

Lew Chew shall send high officers to present congratulations.

3d. That whenever a new King succeeds to the throne of Lew Chew the Emperor of China shall be requested to send envoys to confer investiture with the title of "King of the Central Island."

4th. That from time to time the students who accompany the envoys from Lew Chew shall be admitted into the Imperial College at Peking to pursue their studies there.

5th. That in the case of any unfortunate people of Lew Chew who may be driven by storms upon the Coast of China, the Governor of the Province in which this occurs shall treat them with kindness, furnish them with the means of subsistence, repair

their vessels, and make suitable arrangements for their return to their own country.

These regulations have continued in force without change for a period of nearly five hundred years.

In the 4th year of Hsien-feng (that is in 1854 or the first year of An-sei of Japan) Commodore Perry, of the United States Navy, came to our humble Kingdom, and allowed us to make a treaty (with the United States) which treaty contains seven articles written in the Chinese language, the date also being Expressed according to the Chinese mode of designating the year. Your Excellency has doubtless a record of this treaty to which

you can refer. Subsequently the great nations of France and Holland also negotiated treaties with Leu Chew.

As to our intercourse with Japan, it was formerly with the dependency of Satsuma; but in the 11th year of Tsung-Chi (that is in 1872, or the 5th year of Meiji of Japan) the Japanese having put an end to the Government of Satsuma as a separate dependency, issued compulsory orders that our country should be attached to Tokio; that our King should be invested with the title "King of a "Dependency" and enrolled among the Japanese nobility, and that all business should be transacted with the Department of Foreign Affairs (Gwaimusho)

In the 12th year of Tung-chi (that is in 1873, or the 6th year of Meiji of Japan) Japan forcibly insisted that the originals of the treaties established between Lew Chew and the great nationalities of the United States, France and Holland, should be delivered up to the Department of Foreign Affairs, and in the 9th moon of the 13th year of Tung-chi (that is in 1874, or the 7th year of Meiji of Japan) they arbitrarily transferred the affairs of Lew Chew to the jurisdiction of the Department of the Interior (Naimusho). In the first year of Kwang-sii (that is in 1874, or the 8th year of Meiji of Japan) the Daijokuan (Council of State) of Japan sent proclamations to Lew Chew,

saying, "The payment of tribute to
"China, and the receiving of investitures
"from China, are from henceforth
"abolished"; and that "In the de-
"pendency (of Lew Chew) Ming-chi
"(Meiji) must be used in designating
"the year; the laws of Japan must
"be put in force; and those who
"hold official positions in the
"dependency must be removed from
"office." Our humble Kingdom
has repeatedly memorialized and
sent envoys from Japan, imploring
her (to desist from pressing these
demands) but our Kingdom being
small and weak, Japan has
persistently refused to comply
with our requests. Now in your
petitioners' humble opinion, though

our Kingdom be but a small nationality, nevertheless it is a nationality. It has always used the Chinese method of designating the year; and has by the condescension of the Chinese Empire been permitted to manage its own local government. Japan now arbitrarily commands us to change our customs and to dismiss our officers. It will be seen by reference to the treaty between the United States and Lew Chew, that the Chinese method of designating the year and the Chinese written language, are employed in that document. Now if we are rendered unable to do as we have hitherto done, and are prohibited henceforth

to receive investiture from China, then too the treaties into which we have entered will be like so much waste paper. Not only will we be rendered incable of preserving our Existence as a nation, but will have reason to fear the displeasure of the great nationalities with which we have entered into treaty relations, and shall not be able to answer for our conduct to the Chinese Empire, and are overwhelmed with shame and anxiety. Now although the territory of our Kingdom is, as it were, only the size of a bullet, yet the United States recognized and treated Leu Chew as a distinct nationality, and permitted us to enter into treaty relations with them, which kind

and considerate conduct we have never ceased deeply to appreciate; and now, in these our times of urgent peril, we turn to the United States, in the hope that they may advise and induce Japan to leave Luchu to remain as she has been hitherto, and for such great benevolence our whole people, both officers and people, will cherish profound gratitude.

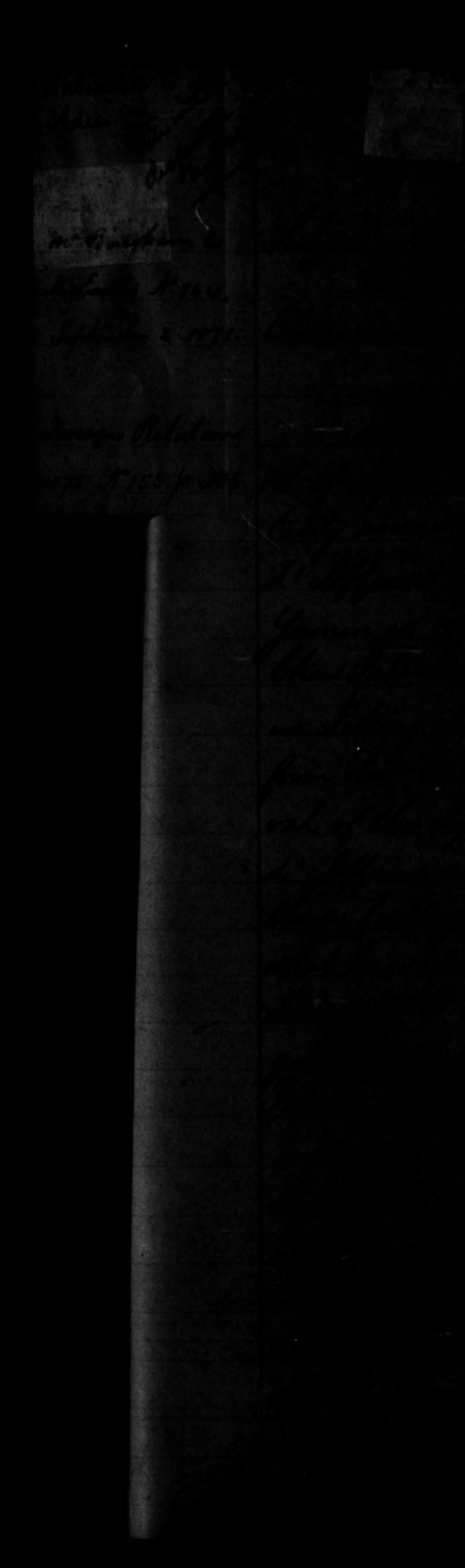
In addition to addressing a duly prepared petition to the Minister of His Imperial Chinese Majesty, it is our duty to present this petition to Your Excellency, earnestly begging that action may be taken in the case.

The foregoing petition is addressed to His Excellency the

United States Envoy Extraordinary
and Minister Plenipotentiary, the
Honorable John A. Bingham.

Tokio, Kwang-sii 4th year 7th moon
21st day (August 19, 1878.)

Enclosed herewith
copy of Treaty, in seven articles,
concluded between the United States
of America and the Kingdom of
Lew. Chew.



which has existed about two centuries of sending tribute to China; but that this tribute is not what the word would literally imply - a kind of tax in dutiful acknowledgment of dependence on the one side, and sovereignty on the other - it is only in the nature of a complimentary gift, in token of intellectual, not political homage; that it is the good will offering of a small power to a great one, a manifestation of reverence for the religious headship of the Emperor of China, such as Catholic States in Europe at one time accorded to the Pope; and that in return for the presents the Lew Chewans bring and for their grateful homage, they, like the Coreans, are permitted to bring into the country, certain articles, free of duty, and to take Chinese goods home free of export duty. He further states that an effort was made by the French Chargé d'Affaires to induce Mr. Lei to have the Lew Chew question referred to the foreign representatives, to which he reluctantly consented, but the proposed conference for the reasons therein stated was not held, and the question was referred by Mr. Lei to his government.

In

Bureau,

. 187 .

Foreign Relations 1875 N°158 p. 331.

In despatch No 58, of May 30. 1875, Mr. Avery states that he had been informed by Mr. Tei that he was instructed by his government not to pursue the matter further for the reason that it would be taken up and definitively settled at Yedo; that he also gave him to understand that the complete jurisdiction of Japan over the Islands would be asserted, that provision would be made for governing them in all respects like the rest of the Empire, and that the Lew Chewans, instead of purchasing a limited periodical trading privilege with China by paying tribute and obeisance, would be entitled to trade regularly with this country on an equal footing with other subjects of Japan, under the protection of Japanese Consuls.

Mr. Fish to Mr. Bingham N°164, July 29. 1875.

On the 29th July 1875, an Instruction (N°164) was addressed to Mr. Bingham, enclosing copies of the aforementioned despatches, and referring to a Compact concluded between the United States and the Royal government of Lew Chew on the 11th June 1854, granting certain privileges to American citizens and

respects

vessels going to the Lew Chew Islands (18 Stat. at Large 1001.) He was directed to examine into the question, and, in the event of any consolidation of those Islands by Japan, to see to it that our compact be preserved, unless it should be found more advantageous to this country to apply the treaty with Japan, or such part as may be applicable to the territory referred to.

In reply to the foregoing instruction, Mr. Bingham transmitted with his despatch No. 409, of the 5th June 1876, a note from the Minister of Foreign Affairs of Japan, stating that Lew Chew was made a Han under the Japanese government in September 1872, that since the year 1874, some officials of the Interior Department who reside there are authorized to manage all matters which concern foreign countries, and that a military station would be established there for the protection of the Han: That the Japanese government has not at any time interfered with the rights of the United States secured by its subsisting compact with the Lew Chew Islands, but also stating that

an

"an information will be made to you (Mr.
"Bingham) whenever we (the Japanese) have
"any thing which would necessarily cause
"such changes in the compact existing be-
"tween the United States Government and
"and the Lew Chew Han, as further changes
"are intended to be made in that Han."

Mr. Bingham to Mr. Evarts No 839, July 24. 1878.

In despatch No. 839, dated July 24. 1878, Mr. Bingham reports that, in a conference held with the Minister of China to Japan respecting a controversy between the government of China and that of Japan, concerning the Lew Chew Islands, that he informed the Minister that it was his duty under the treaty provisions of this government with China and Japan to lend his good offices, if requested by either or both of those governments, in the settlement of any difficulty between them, subject to such instructions as he might receive from his government: that the Minister then proceeded to state that the difficulty between China and Japan was this - that close political relations had obtained for centuries between the government of China and the Kingdom of

Lew

Lew Chew, the latter having voluntarily paid tribute to the former &c. but that the Japanese government had recently asserted supreme control over the Lew Chew Islands, had declared them to be a Japanese Han, and had sent officials thither who had forbidden the Lew Chewans longer to pay tribute to China or to hold political relations with that government. Against this action of Japan, the Minister also said, the government and people of Lew Chew had remonstrated both to the Japanese government and to the government of China and to its Ministers accredited to the Court of Japan.

The following additional facts are contained in a Memorandum from the Chinese Minister, a copy of which is enclosed with Mr. Bingham's despatch; viz:

" When a new Emperor ascends the
" throne, Lew Chew sends a Minister to offer
" congratulations. The Lew Chewan gov^t. also
" sends scholars to reside and pursue their
" studies in Peking, and their expenses are
" defrayed by our officers. When a new

King

"King (or Prince) succeeds to the throne, our Emperor sends an Envoy to invest him with the title of King (or Prince) of the Central Mount." The manners, customs and literature of the country are essentially the same as ours."

Mr Bingham to Mr. Evarts. N°844, Sept. 2. 1878.

In despatch N°844, of the 2d Sep-tember last, Mr. Bingham, in referring to the statement contained in the communication enclosed therewith, that Japan had issued "compulsory orders to Lew Chew "that all business (in Lew Chew) should "be transacted with the Japanese Depart-"ment of Foreign Affairs," and that the Japanese officials "should manage all matters with foreign countries," suggests that it does interfere with the rights of the United States secured by its existing compact with these Islands, notwithstanding Mr. Terashima's statement "that nothing had been done to interfere with the rights of the United States as secured by its ex-isting Compact with the Lew Chew Islands," &c

It

Bureau.

187 .

It does not, however, appear, from an examination of the Compact with Lew Chew of 1854, that there is any obstacle to the full execution of all its stipulations by the Japanese administrative officers as readily as by the native authorities, provided the compact itself be recognized by Japan as binding, and not to be set aside without prior consultation with his government. This appears to have been specifically promised by Terashima Munenori.

Respectfully submitted,

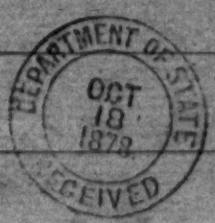
Alvey A. Adee

Chief of Bureau.

(Press Oct 23)

Ask substance to Press
publish in Com. Rel.
C. P

No 845. Legation



United States Legation,

Japan,

Tokei, September 10, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Report of foreign trade of Japan for the half year ended June 30, 1878. Excess of imports over exports. Excess of export of specie and bullion over the import. Great excess of the imports from Great Britain and her possession and of specie and bullion exported there. Unfavorable showing for the United

States. The advantages, as shown by this report, derived by Great Britain from the present tariff regulations, furnish explanation of her unwillingness to change the treaties.

Enclosure.

Report of Foreign Commerce for the half year ended June 30, 1878.

No 845.

United States Legation,
Japan,
Tokei, September 10, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose for your
1/ information the returns of the foreign com-
merce and trade of the Empire of Japan for
the half year ended June 30, 1878.
A reference to page 15 of the returns shows
that the value of domestic exports for the
half year was yen Ten million nine hun-
dred and sixty four thousand and fifty five
and sen thirty two (10964.055 32/) and that
the value of the imports for the same period
was

was yen Seventeen million one thousand four hundred and twenty four and sen ninety eight (17,001,424 98/100) and that the imports were in excess of the exports for the half year to the amount of yen Six million thirty seven thousand three hundred and sixty nine and sen sixty five (6,037,369 65/100) and that the impost upon imports amounted only to yen Seven hundred and sixty two thousand eight hundred and sixty one and sen seventy four (762,861 74/100) for the half year, instead of yielding at the British rates of duties on imports Three million four hundred thousand dollars ($3,400,000 00/100) for the half year, or according to our average rates Four million two hundred and fifty thousand dollars ($4,250,000 00/100) to customs revenue.

It

It is also worthy of note that of this importation for the half year to the value of yen Nine million eight hundred and twenty thousand nine hundred and eleven and sen twenty five (9,820,911$^{25}_{--}$) was from Great Britain, and yen Five hundred and twenty eight thousand two hundred and five and sen fifty three (528,205$^{53}_{--}$) was from the British East Indies (and Siam) a total of yen Ten million three hundred and forty nine thousand one hundred and sixteen and sen seventy eight (10,349,116$^{78}_{--}$) and that of the exports Great Britain received only to the value of yen One million three hundred and sixty thousand and eighty eight and sen eighty eight, (1,360,088$^{88}_{--}$) and the British East Indies (and Siam) to the value of yen Two

million

million one hundred and twenty five thousand three hundred and thirty two and sen ninety seven (2,125,332 97/) leaving a balance in favor of Great Britain and her dependencies in India, in round numbers of yen Six million eight hundred and sixty three thousand (6,863,000.) The United States for the half year imported only to the amount of yen One million one hundred and seventy two thousand — (1,172,000) and received of Japan's Exports to the amount of yen Two million four hundred and ninety four thousand, a balance in favor of Japan and against the United States yen One million three hundred and twenty two thousand

(1,322,000)

(1,322,000) in round numbers.
(See page 14 of the report.)
It is also to be observed that on page 15 it appears that the total value of the export of specie and bullion for the half year was yen Five million four hundred and twenty two thousand nine hundred and fifty three and sen twenty two (5,422,953 22/) and of the import thereof yen Eight hundred and twenty two thousand nine hundred and forty (822,940) showing an excess of export of specie and bullion against Japan for the half year to the value of yen Four million six hundred thousand (4,600,000) in round numbers. Of this Excessive export of specie and bullion for

the

the half year Great Britain and her possessions, including Siam, received yen Three million four hundred and ninety seven thousand (3,497,000) after deducting the import of specie and bullion to Japan from Great Britain and her possessions, including Siam, to the amount of yen Two hundred and fifty eight thousand (258,000) The United States received of this export of specie and bullion only yen Ten thousand seven hundred and eighty two (10,782) against yen imported in the same half years from the United States to Japan Four hundred and eighty four thousand three hundred and ninety (484,390) being more than one half

of

of all the imports of specie and bullion to Japan from all countries.

It cannot be surprising that Great Britain insists that this state of commercial operations in Japan to the great advantage of herself and colonies and to the manifest hurt of Japan and of the United States, should continue and be in no wise disturbed by any change in the existing treaties of Japan with Foreign States.

Respectfully submitted.

I have the honor to be,

Sir,

Your obedient servant,

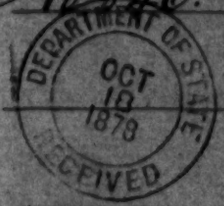
Mc A. Pinkham

File

Acknowledged

Ack. 6. P.

No. 846.



Legation

United States Legation,

Japan,

Tokei, September 10, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

An article of the Japan Gazette of the 8th of August last upon treaty revision and "diplomatic etiquette," in which the writer insists that Japan was guilty of a great breach of etiquette in attempting to negotiate with the Foreign Powers directly for treaty revision, and also insists that the whole subject should be remanded by

the Western Powers back to Japan without action, there to be disposed of by the Diplomatic Representatives of the Treaty Powers in Japan in such manner as H.E. Sir Harry S. Parkes, the British Minister, may deem most conducive to British interests.

Enclosure.

Extract from the Japan Gazette,

August 8, 1878.

No 846.

United States Legation,
Japan,
Tokei, September 10, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to enclose herewith an article from the Japan Gazette of date the 8th ultimo, an English journal published at Yokohama, in relation to treaty revision with Japan but entitled "Diplomatic Etiquette".

After referring to the publication of the Specific Revision

of

of the duties to be imposed by Japan upon all foreign imports, to which I called your attention in my No 828, July 12, 1878, and which was in no sense consistent with the instructions given by this Government to its Diplomatic Representatives, the article proceeds to point out that all treaties heretofore made with this Government "have been drawn "up in Japan by the Ministers "accredited for the purpose; therefore this" is the settled practice, and any deviation from it "must be "based upon the superior capacity "of the representatives of Japan "to treat with Foreign Powers."

The article then refers to a "plot

projected

"projected for the benefit of American
"trade and the ruin of Japanese
"commerce", to wit: a Commercial
treaty with some strong Power,
France or Germany or the United
States. It was well known to
this writer when he published his
article, that Japan had asked
of each of the Foreign Treaty-
Powers for the same revision
of her existing commercial treaties.
The article proceeds to state
that it may be interesting to
consider what France or Germany
may say to direct communication
from this Government with a view
to the revision of treaties or an
"augmentation of the tariff dues
"now levied in Japan "upon trade."

The

The editor then favors us with what he supposes France and Germany say to Japan's petition for justice by a revision of the treaties. First he informs us that Mr Waddington, the French Minister for Foreign Affairs, (who is an Englishman,) while gratified at receiving Mr Sanetshima, the Japanese Envoy, remarked that is one of the chief subjects for the consideration of which France maintains a Legation in the Japanese capital, and that any communication of this character must be made through Mr de Geofroy, the French Minister in Japan, "by whose dispatches alone the French Government "can be guided in diplomatic negotiations

with

"Japan." The editor also speaks in
like manner for Germany, with this
qualification that "England and Ger-
"many are agreed upon the policy
"which regulates their intercourse with
"Japan," and that the English Minister
in Japan possesses the unrestricted
confidence of Her Majesty's Government
and, therefore, the representative
of Germany in Japan has been in-
structed to act in concert with him
in all matters relating to Commerce
in Japan. And thus the Envoy of
the Japanese Government was with
"polished courtesy," according to this
editor, politely bowed out of the Courts
of France and Germany and told
that Japan could only confer at home
with

with the accredited Ministers of those Governments on the subject of treaty revision.

To excuse this offensive article the editor proceeds to say that the Japanese Government will probably find "the great Western Powers intolerant of "any show of discourtesy . . . to "their representatives accredited to "and received by the Japanese Court," and adds that "there is still time "for the Japanese Government to reflect "upon the breach of diplomatic etiquette "arising from any attempt to discuss "in foreign capitals matters which "can only be discussed by the envoys "sent out for that purpose". This Experiment, the editor adds, which is "now being made in France and

Germany

"Germany will not in all probability
"be hazarded in England". The editor
consoles himself finally by saying
that the Japanese Government is
awakening to the character, purity
and disinterestedness of those friends
among whom are the dolards who
drivel about the "gunboat policy" of
England. As I communicated to
the Department in my No 45 of date
the 17th of January 1874 an extract
from the Japan Herald, an English
journal published at Yokohama,
of date 12th December 1873, in which
the editor insisted that it was
needful that "England should in
"again introduce into Japan a
"little of the gunboat policy" to
make her demands for the commercial

Consul

control of this country heard, to which article I have since had occasion to refer more than once in my despatches to the Department, it may be that I have therein offended this Editor, who so pleasantly discourses of "polished courtesy," and who so perfectly accords with the Herald in asserting England's supremacy here not only over Japan but over all other Powers, that his amiable remark in condemnation of the friends of fair play and equal justice in Japan is intended for me. I only notice his impotent fling at those friends among whom

are

are to be found "dotards who
"drivel about the gunboat policy
"of England", because of the fact
above stated, that I have brought
this threat of the Herald to the
notice of the Department, and because
of the further fact that it would
seem, if reference is made to
me on account of my reporting to
the Department the threatened
"gunboat policy of England," that
some emissary in England's in-
terest has been engaged in ob-
taining and reporting my despatches
to the Department, as was mani-
festly attempted here in 1873-74 in
regard to my despatches to the
Foreign Office in Japan. I am

not

not aware that any of my despatches referring to the threatened gunboat policy of England have ever been published in the Foreign Relations, and I am quite sure that no publicity has been given to my views on this subject by this Legation.

It has been said that something must be pardoned to the spirit of liberty, and I suppose that the editor of the Gazette is of opinion that something must be pardoned to the spirit of English conquest and English deceit and English insolence.

The editor's sagacious remark, referring

referring, no doubt, to such a revision by the United States of its treaties with Japan as would place Japan upon an equal footing with the United States in the regulation of commerce between the two countries, is not to be overlooked, to wit: that such a line of policy by Japan "virtually "abrogates all existing treaties "by the formation of a new "one with a nation incapable "of carrying out in part "or in whole the promised "increase of trade".

It remains to be seen whether the United States and Japan may not mutually promote

their

their own interests by a just commercial treaty without first obtaining leave from Great Britain in the premises.

That beneficial results might ensue to both countries from such a revision of their Existing treaties is apparent from the present results of existing treaties upon the commerce of Japan, as shown by my No 845 and also as shown by the great efforts of England to prevent any change of Existing Commercial restrictions upon this country.

I have the honor to be,

Sir,

Your

Your obedient servant,

Jno. A. Bingham

No 846. Enclosure.

Extract from the Japan Gazette, August 8, 1878.

DIPLOMATIC ETIQUETTE.

THE question of tariff revision has of late caused much and varied discusion; the subject being one unusually interesting to Japanese and foreigners alike. The circumstantial evidence supporting the statement that the draft of the revision had been presented by Mr. SAMESHIMA to the German Government, was strong, and, in fact, whether the communication was made through him, or through the Japanese envoy at Berlin, is matter of indifference, for no doubt appears to be thrown upon the channel of communication having been the Japanese representatives in Europe, who have probably been instructed by their Government to address themselves direct to the ministers for foreign affairs of the chief Western nations, with a view to direct discussion of the bases of a revised treaty of commerce and friendship with this country.

Recent events seem to point to the conclusion that communication with foreign Governments on matters properly within the cognisance of the foreign representatives resident in Japan, has been attempted, but whether this extraordinary procedure has met with encouragement or not, is not known, and, probably, never will be officially made public; but the fact of such an attempt having been made calls for some comment and criticism.

Until very few years ago Japan had no intercourse with the outer world; and until quite a recent date the country had no representatives at foreign courts. All treaties entered into have been drawn up in Japan by the ministers accredited for the purpose, subject to subsequent ratification by the home Governments. The practice in this respect having become settled by the acquiescence of Japan in the system, any deviation from it must be based upon the superior capacity of the representatives of Japan to treat with foreign powers, or, the inferiority of the envoys accredited to Japan by those foreign powers.

The nefarious suggestions of the *Tokio Times* made for the purpose of entrapping Japan into a movement which would irritate nearly every power now in friendly intercourse with her, have been stripped of their disguise, and exposed sufficiently to show the plot projected for the benefit of American trade and the ruin of Japanese commerce: but as that journal recommends a commercial treaty to be entered into with some strong power—France or Germany—or the United States—it may be interesting to consider the probable result of direct communications to the Governments of the first named two powers made with a view to secure a revision of the treaty, or an augmentation of the tariff dues now levied upon trade with Japan. We should not be surprised to hear that Mr. SAMESHIMA, lately vice-minister for foreign affairs, accredited to France, requested an interview with the minister for foreign affairs on the subject of treaty revision and was received in due course by M. WADDINGTON. The interview was brief. With polished courtesy Mr. WADDINGTON expressed his gratification at receiving the envoy of His Majesty the Emperor of Japan: he referred to the cause of the interview, and remarked that it is one of the chief subjects for the consideration of which France maintains a legation in the Japanese capital: that M. DE GEOFFROY is an experienced and valued member of the diplomatic staff, and that any communication of the character referred to by Mr. SAMESHIMA, must be made through M. DE GEOFFROY, by whose dispatches alone the French Government can be guided in diplomatic negotiations with Japan. The firm tone, unambiguous language, and avoidance of the subject afterwards, showed the Japanese envoy the mistake made by his Government and the falsity of the position in which he was placed. The remainder of the interview was confined to conversation upon general subjects, and at its termination the interview terminated also. Changing the scene to Berlin, Mr. AWOKI underwent a similar ordeal. He was informed that the Governments of Germany and England, are

agreed upon the policy which regulates their intercourse with Japan: that the envoy of Queen VICTORIA is old and experienced in the conduct of diplomatic relations and the course of trade between Great Britain and Japan; and that, moreover, he possesses the unrestricted confidence of Her Majesty's Government. The representative of Germany in Japan has been, in deference to the known experience of the English minister, instructed to act in concert with him in the consideration of all matters relating to commerce. Mr. AWOKI was assured of the regard entertained for Japan by the German Government, and that interview was politely closed.

We are far from saying that any interviews that have been, or are about to be held abroad for the discussion of treaty revision have resulted, or will result, in the manner stated above: but it is exceedingly probable that the Japanese Government will find the great Western powers intolerant of any show of discourtesy, indifference, or contempt to their representatives accredited to and received by the Japanese Court. There is still time for the Japanese Government to reflect upon the breach of diplomatic etiquette arising from an attempt to discuss, in foreign capitals, matter which can only be discussed here by the envoys sent out for the purpose; and upon whose dispatches alone their several Governments will rest their opinion and decision.

The experiment now being tried in France and Germany, will not, in all probability, be hazarded in England; at all events not until the result of the interviews with the foreign ministers of France and Germany be known to Japan. In the interval of suspense, certain writers are making the most of the time by recommending to the Japanese Government a line of policy which virtually abrogates all existing treaties by the formation of a new one, with a nation incapable of carrying out, in part or in whole, the promised increase of trade attendant upon the suggested commercial alliance. That this insidious attempt to complicate the relations of Japan with the chief nations of the West is made with ulterior motives adverse to the lasting interests of this country, is beyond a doubt; but that a journal should, from its foundation, have bestowed upon the Japanese Government flattery, adulation and unqualified support, to an extent offensive alike to native and foreigners; and, while feigning regard for the interests of Japan, should have attempted to lead her into an action which should destroy simultaneously her reputation and her trade, excites but one feeling. Some satisfaction is, however, derivable from the exposure of the unworthy scheme, and the contingent awakening of the Japanese Government to the character, purity, and disinterestedness of those friends, among whom are to be found dotards who drivel about "the gunboat policy of England."

Addl. admit approved Oct. 28. 1878 Mr Bell

Approve. E.P.

No 847. Addee

United States Legation,

Japan,

Tokei, September 10, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Rescue of the crew and a portion of the cargo of the American merchantman "Bofuid," wrecked on the Kurile Islands, by the Japanese Authorities and their conveyance to Hakodate. Mr Bingham thanks the Japanese Government for this action.

Enclosures.

1. Mr Terashima to Mr Bingham, July 30/78.

2.

2. Statement of the Kaitakushi, July 10/78.

3. Mr Bingham to Mr Terashima, Aug. 10/78.

No 847.

United States Legation,
Japan,
Tokei, September 10, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

On the 30th of July last I received a despatch from His Excellency Mr Terashima, the Japanese Minister for Foreign Affairs, in which he informed me of the wreck in May last of the American schooner "Bofuid" off Toshimoi in the Bay of Hitcup, province of Fukudetto in the Kurile Islands. It appears by His Excellency's despatch and also by the enclosure therewith

from

from the Kaitakushi at Hakodate, that the Japanese officials at Hitcup promptly went to the assistance of the wrecked schooner and rescued the Commander and all the crew, who were kindly cared for and delivered over at Hakodate to the United States Consular agent. It also appears that some portion of the cargo &c. was saved, though the vessel was sunk and broken and became a total loss.

3/847

On the 10th ultimo I addressed to Mr Terashima a note, in which, on behalf of my Government I tendered through him to the Japanese officials my thanks for their humane and kind assistance in the rescue of the men of the wrecked schooner, a

copy.

copy of which note, together with
3/ 47 copies of Mr Terashima's despatch
and of the communication of the
Kaitakushi therein referred to,
I have the honor to enclose
herewith.

I have the honor to be,
Sir,
Your obedient servant,
Jno A. Bingham

No 847.

Enclosure 1.

Copy of translation.

No 28. Foreign Office, Tokio,
The 30th of 4th month
The 11th year of Meiji.

H.E. John A. Bingham,
E.E. and M.P. of the U.S.A.

Sir:

I have the honor to transmit herewith to Y.E. a copy of a communication received from the branch office of the Kaitakushi at Hakodate, giving the particulars of the sending of the crew of the "Bofuid", a schooner of your country, to Hakodate, which

vessel was wrecked by a tempest during the month of May of this year off Toshimoi, in the Bay of Hitcup, in the province of Fukutetsu in the Kurile Islands, Hokkaido, and also an account of the raising of the cargo of said vessel.

H.E. may already have been informed of the above, as the inclosed communication shows that the rescued persons have been handed to the Consul of the United States at Hakodate.

I avail myself of this occasion to renew to H.E. the assurance of my highest consideration.

(Sgd) Terashima Munenori.

H.E.J. Mr. Minister for Foreign Affairs.

No 847.

Enclosure 2.

Copy of Translation.

On the 25th of the 5th month of this year (May 25, 1878) the American schooner "Bofinds was blown ashore and wrecked by violent winds and rough waves at Toshimoi in the Bay of Hitcup in the province of Fukubetsu in the jurisdiction of the Branch Office of Nemuro. Immediately assistance was rendered by officials on duty at Hitcup and the Captain of the vessel and all the crew landed in safety. These were all protected and cared for. The hull of the vessel was broken and sunk on the shore, but

assistance was rendered and thereby the instruments belonging to the vessel and floating cargo were brought on land. Some days afterwards, on two several trips of a mail vessel which entered this port on the 2d and 28th of the 6th month (June) the (objects and) persons rescued were brought to this place and at once handed over to the American Consulate located here.

Branch Office, Hakodate.

(Sgd.) Tokito Tanemoto,

Secretary of the Kaitakushi,

(Colonization Bureau)

10th of 7th month of

11th year of Meiji (July 10/78.)

No 847.

Enclosure 3.

Copy.

No 799.

United States Legation,
Tokei, Aug. 10, 1878.

H. E. Terashima Munenori,
H. I. J. M. Minister for Foreign Affairs,
Sir:

I have the honor to acknowledge the receipt of Y. E.'s note of date the 30th ultimo, in which you acquaint me of the rescue of the crew and the recovery of the cargo of the American vessel "Bofuid", which was wrecked in

in May last off the Kurile Islands, and of the safe transportation of the crew by a mail steamer in the service of H.I.J. Majesty to the U.S. Consular Agent at Hakodate.

On behalf of my Govt. I beg leave through Y.E. to thank the Japanese officials who so promptly went to the rescue of the crew of the "Bofuil" and so kindly relieved and cared for them. I shall take pleasure in bringing this humane conduct of Y.Ex. countrymen to the knowledge of my Govt.

I beg leave to renew to Y.E. the assurance of my high consideration.

(Sgd.) Jas. A. Bingham

Ack-L.P.

No 848.

In Index

DEPARTMENT OF STATE
OCT 18 1878
RECEIVED

FOREIGN Relations 78

United States Legation,
Japan,
Tokei, September 10, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

Mr Bingham encloses a copy of the plea of the assassins of the late Mr Okubo as published in the Japan Daily Herald of August 31. He calls attention to the Herald's comments upon the political motives of the crime, and also to what the assassins say of the alleged unjust action of Japan toward the Lew Chew Islands.

Enclosure.

Enclosure.

Extract from the Japan Daily Herald. August 31, 1878.

No 848.

United States Legation,
Japan,
Tokei, September 10, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Herewith I have the honor to enclose an editorial of the Japan Daily Herald of the 31st ultimo, together with the remarkable plea of the assassins of Mr Okubo, His Imperial Japanese Majesty's late Minister of the Home Department.

You will observe that the editor undertakes to lift the horrid and base and cowardly murder of Mr Okubo above the

the "vulgar region of ordinary murder" because the motives of the assassins, the editor considers, were "wholly "political". So it seems if assassins declare their motives for assassination to be political, it results that their declaration of political motives "elevates their great crime"!

The tale of the assassination committed by Ichiro and his associates, as written by them and herein enclosed, contains nothing which I have occasion to note, save this, that in reference to the Lew Chew Islands the assassins say that "the inhabitants petitioned our "(the Japanese) Government with "good reason; that Japan took advantage of the inferior strength of the Islands and compelled them

them to change their form of Government and wounded their national feelings. They conclude by saying that in the foreign relations of Japan "the great point is not to "possess brute force," nor "to oppress the "weak and cringe to the strong," but to "have right and justice on our "(their) side." (See last two paragraphs of their address to the Mikado.)

I have the honor to be,

Sir,

Your obedient servant,

Wm. A. Parsons

No 848. Enclosure.

Extract from the Japan Daily Herald, Aug 31/78.

The Plea of Shimada Ichiro and his Associates.

At the time when the late Home Minister was assassinated, we translated from a Tokio newspaper,—t e *Choya Shimbun*,—a paragraph relating how, in the afternoon of the day on which the tragic event took place, the letter box of that newspaper was found to contain a sealed statement, signed by the six assassins, and headed "Tale of a Traitor's Assassination," in which the motives of the conspirators were set forth. The *Choya Shimbun* published a few lines of that statement, and was in consequence suspended for some time, although it had immediately forwarded the original to the Police Department. A perusal of the document shows what an utter misrepresentation it was to pretend that Okubo's assassination had no political significance. Ichiro's statement is,—*more Japonico*,—written in a rather diffusive style, but the circumstances under which it was written give it a peculiar interest, which is heightened by the fact that it, in the present gagged state of press and speech in Japan, stands forth as a unique expression of probably widely entertained opinions, and deeply felt grievances. Notwithstanding, therefore, the extravagance and exaggeration of language which, with the exception of the prefatory part, to some extent, vitiates the composition throughout, we have thought the production well worth translating.

The document is a lengthy one, and it gave us much trouble to procure a copy, owing to the fact of its having, for very obvious reasons, been as far as possible suppressed by the Government. Nevertheless, a portion of it has been translated and published in the *Shanghai Courier*, and to-day we give extracts from such portions of our own full translation as come within the bounds of the legitimate discussion and criticism of Government measures and policy. Libellous portions of Ichiro's complaints, reflecting upon the conduct of officials, whose names are mentioned, connected with the administration, we omit. The charges may or may not be true, but as we have no means of knowing, we should not be justified in publishing them to the foreign world. Entertaining, as we do, no feelings of hostility towards the members of the Government, our only object in printing so much of the memorandum as we do is because it has now become historical, and derives a deep interest and significance from the fact of its authors having sealed it with their blood. From one statement made, it would seem that the conspirators had long brooded over their design, and that they had waited for a fitting opportunity to put it into execution. As to their motives, they appear to have been wholly political; and this elevates the great crime they committed beyond the vulgar region of ordinary murder. When we examine the several articles of impeachment, we find a good deal of invective, based upon well known facts, and the case against the Government very well reasoned. Some charges, however, have no foundation, beyond the mere prejudices of the writer and his class, especially those relating to the alleged waste of money and extravagance on public works and buildings, the expenditure of which mostly taking place in and about the metropolis, perpetually provokes provincial jealousy and envy.

The allegation that the Government in its intercourse with foreigners loses sight of the national dignity, we regard as wholly undeserved. Remembering the inferior rank which Japan necessarily holds in the congress of nations in comparison with the great powers, it is rather an excess of self-assertion that it is fairly chargeable with than the reverse; Japanese diplomacy, like that of other countries, is occasionally constrained by imperious circumstances to follow a line of action which it cannot avoid.

Taking Shimadzu Ichiro's complaints in their entirety; allowing for their bitterness and passionate tone, for exaggeration, the vituperation which characterises many passages, and for its personal malevolence in places,—nevertheless, with all these drawbacks, it merits very serious attention, for the defects of Government which it discloses, and the vicious policy and misdemeanours it condemns. If the sentiments avowed by Ichiro are those entertained by any considerable section of the *samurai* class, it behoves the administration to consider of its ways; to earnestly set about the task, too long delayed, of its own reformation, and to make timely concessions to those popular demands which a bureaucratic oligarchy are always loath to make. The existence of men driven to desperation, like Ichiro and his associates, partly by real and partly by fancied wrongs, is a perpetual menace to an administration which governs by force. The members of the Government carry their lives in their hands, and not one of them can tell which of their number shall not prove to be the next victim of political resentment, which denied other expression, finds it in the malignity of whispered hate, in the ruthless steel of the assassin, or in fratricidal civil war.

"A TALE OF A TRAITOR'S ASSASSINATION.

"We, the undersigned, Shimada Ichiro, shizoku of Ishikawa *ken*, and five others, bow our faces in the dust, and having resolved to die, we speak thus to His Majesty the Emperor, and to the thirty five millions of our countrymen.

"After a careful consideration of the present condition of our country, we find that it is governed neither by the will of the Emperor, nor by public opinion, but merely by the whim of a few government officers in high position. Men, placed in an elevated situation, honored with the confidence of His Majesty, and charged with the interests of the empire, should hold the welfare of the state superior to their own interests; they ought by their integrity, mercy, and justice to prove themselves worthy of the trust that has been placed in them. But this is far from being the case here. If we closely scrutinise the conduct of our present high officers, we shall find them caring only for their own affairs, and thinking lightly of their official duties; they do not allow the responsibilities of office to interfere with their rest and repose; and being cunning and greedy they bring the Sovereign into contempt and grind down the people. At last they have brought shame and humiliation to this country in such a degree as was never witnessed before, and they have done the people such injury as it will take thousands of years to heal. We shall now briefly state their principal crimes.

"First crime.—Their administration is despotic;

they stifle the voice of public opinion and oppress the people.

"*Second crime.*—They confuse our law system by their arbitrary enactments; their constant aim is to serve their own interests and increase their wealth and power.

"*Third crime.*—They waste the revenues of the country on useless public works and superfluous public buildings.

"*Fourth crime.*—They dislike loyal and patriotic men, and by holding them in disgrace they cause domestic troubles.

"*Fifth crime.*—In their intercourse with foreigners they lose sight of the national dignity.

"The government of a country should have its support in public opinion, and a country is strong in proportion as its people are free.

"To stifle the voice of public opinion and oppress the people must end in the decline and fall of the country. Laws are the pillars of the country and the guide of the people; if they are passed and abolished in a disorderly and confused manner, the majesty of the law falls into contempt, and the minds of the people become bewildered. The revenues are the common property of the people, and are destined to meet the necessities of the country; if they are wasted, it is the life blood that is uselessly wrung from the people. The loyal and patriotic men are the soul of the country, and on them depends its rise or fall; if they are contemptuously thrust aside, the country must go to ruin. It is national dignity that makes our independence respected; if that dignity be lost, the country soon becomes lost. These five crimes have been the principal means by which the respect for the Sovereign has been lowered and the people ground down, and these we have explained more fully in the subjoined enclosure. But besides, hundreds of lesser and greater crimes have been committed, which it would be too tedious here to enumerate, nor is there any necessity for doing so, as the public are more or less aware of them.

"In consequence of these crimes of our * * * officers, the whole country is in a troubled state, and the obnoxious conduct of these officers has become the general topic of conversation, even on the street corners, and the subject of many petitions, but these officers make no sign of mending their ways. On the contrary, their tyranny and deceit increases daily; one penal law is enacted after another, the writers for the public press are silenced and imprisoned; they drive every able and patriotic man in the country into open revolt; they deceive His Majesty; they administer the laws of the country in their own selfish interest; they play fast and loose with the penal laws; they treat the able and patriotic men as if they were so many rebels, and in some grave instances it is believed that they have even secretly plotted the murder of the patriots. And when such secret plots are laid bare, then they call the whole country to arms to protect them from the consequence of their misdeeds.

"As long as SAIGO and KIDO were still alive, our * * * officers stood in great dread of these men, and did not dare to commit such unjust and selfish acts as at present. But now SAIGO and KIDO have gone, our * * * officers think they have nothing to fear, and there is no restraint any longer upon their injustice and tyranny. Their domestic policy is to treat the country as if it were their plaything, and the people as if they were their slaves; their foreign policy is to cringe to the foreign powers, thus surrendering the dignity of the country. In this way the Imperial dynasty must fall, the country go to ruin, and the people become miserable, and whenever I, Ichiro, consider this, my mind is sorely distressed.

"When, last year, the South-Western troubles arose, I, Ichiro, and my companions were fully aware that Saigo and his followers were not rebels, but that the secret plotting of the government officers was the cause of all the trouble, and that, if Saigo and his friends were vanquished, there was no longer any hope for our country. We therefore intended to join them, and hoped thus to be able to punish our officers, but we missed our opportunity, and were prevented from carrying our intentions into effect. Afterwards we considered that, if our * * * officers, being guilty of the crimes above mentioned, remain in office and continue to administer the affairs of our country, it is impossible to foretell what may become of Japan. On the other hand, to kill these officers would revive the the spirit of the patriots everywhere and arrest the decline of the country; it would at the same time as it threw injustice down in the dust raise the people out of its degradation. So we resolved to kill the traitors.

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"Therefore we resolved to commence by killing the two principal men, OKUBO TOSHIMITSU and KIDO TAKAMITSU. KIDO, however, suddenly fell ill and died. Heaven has punished him for his crimes, and has chosen me, ICHIRO, and my companions to kill the others, for it is the will of Heaven that both shall be punished.

"By the command of Heaven and the will of the people, I, ICHIRO, and my companions now slay the arch-traitor OKUBO TOSHIMITSU with our sharp swords.

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"We, your servants, respectfully submit to your Majesty, and to our countrymen, that it is the unbearable state of our country which causes us to sacrifice our lives. When the country becomes governed by the sacred will of your Majesty in accordance with public opinion, then Japan will again flourish.

"It is our fervent desire that the injurious effects of our officers' tyrannical administration may quickly disappear. If a National Assembly be established according to the Imperial promise made at the commencement of the Restoration, and the Imperial edict issued in April 1875, and if the public opinion be thus consulted, then the Imperial dynasty shall continue to reign in glory, the country shall last for ever, the people live in peace, and our desire shall have been accomplished.

"What will happen when we are no more, we shall never know; we bow to the will of Heaven. We have here exposed some of our views and the crimes of our officers, and we now submit to the judgment of your Majesty and our fellow citizens.

"I, ICHIRO, and my companions respectfully wrote the above in our intolerable grief."

The following is a circumstantial exposition of the five alleged crimes mentioned in the "Tale of a Traitor's Assassination," which was enclosed and forwarded at the same time to the MIKADO:—

"*First crime. Their administration is despotic, they stifle the voice of public opinion, and oppress the people.* Shortly after the Restoration, an Imperial edict was issued to the assembled Lords, calling a general meeting, in which all public affairs would be decided in accordance with the wishes of the people. And the meeting was held, to which representatives were summoned from every *han*, who discussed in what way the public administration would most advantageously be conducted. At the same time the people had the right of petition, and thus public opinion had every opportunity of making itself heard and felt. But afterwards all this was changed: the hall of the general meeting was closed, and the *Sa-In* substituted for it, and again the *Sa-In* in its turn was closed and replaced by the *Genro-In*. During the time, however, as well of the general meeting, as of the *Sa-In*, if any one presented a petition, his name and address were taken down in a book, and in course of time he was called and asked to explain his ideas, and if his petition was approved, it was forwarded to the Imperial Government. In the contrary case, the petition was returned to him, and if it was only partly approved, it was retained for consideration. The petitioner was always duly informed of what had been done with his petition, and if he dissented from the opinions held by the members of the *Sa-In*, it was open to him to see them and discuss with them. In this manner there was a real right of petition. But under the present *Genro-In* things are managed quite differently. All petitions, whatever be their contents, whether they be reasonable or not, and whether they are approved or not, are received in dumb silence, and what afterwards becomes of them is a perfect mystery; they disappear as effectually and without leaving more traces behind them than a stone thrown into the water. This being the case, and nobody caring to speak or write to no purpose at all, scarcely anybody now ever presents a petition. And if any one does, his petition is quite unheeded, so that the right of petition has become an empty formality, without any real significance. The Imperial edict, ordering a deliberative meeting, in which all public affairs would be decided according to the wishes of the people, is thus entirely forgotten. Our overbearing government officers contend that in no European country is it the custom to discuss the contents of a petition with the petitioner, or to give him special notice whether his petition has been approved or not. Now, this is an argument only fit for those who blindly and without discretion wish to introduce the habits and customs of civilised countries into our country. The people in Europe enjoy political freedom, they have their share both in the Legislature and the Executive; consequently there is no hard and fast line drawn between the government and the people; the

people and the government are in constant mutual communication; no tyranny or oppression can be practised by the government on the people, because the latter are constantly discussing the merits or demerits of the administration and the laws in their public meetings. As for individual grievances, the freedom of speech is so unlimited, that they are easily brought to the attention of the authorities. In Europe therefore there is no necessity for petition. But look at our people! They are not permitted to hold public meetings for the discussion of the rights or wrongs of the administration or the laws. They have no other way to bring their wants to the knowledge of the authorities, than by handing in a petition. How can this state of things be compared with that of Europe? If our right of petition is to be ruled by the standard generally adopted in civilized countries, then let them commence by granting our people their freedom and their share in the Executive and the Legislature. But while they frame our right of petition on the pattern of civilized countries, why is it, that they do not also adopt the right of freedom that obtains in civilized countries? Is it that these governing officers only desire to adopt what suits their own convenience, and leave alone what might be inconvenient to them? The manners and customs of civilized countries only serve them as a pretext for oppression. The Imperial edict issued in April 1875 proclaimed a 'constitutional monarchy,' and the officers notified the edict throughout the whole empire. Now, when we consider what in Western countries is meant by 'constitutional monarchy,' we shall find that it invariably means a monarchy, in which the people are admitted to a share in the three great political powers of state, the Executive, the Legislature and the Judicature, the Legislature being in the hands of the National Assembly. In this manner government in its three great ramifications is controlled by the people. Now, if our country had been truly made a constitutional monarchy, those three great political powers must at once have been kept separate from each other, and the Legislature committed to the people. Since SOYESHIMA TANESOMI, ex-*Sangi*, and others, had in the year 1873 forwarded their petition, in which they demanded a representative assembly, that question had become an important and all absorbing one; some were in favor of a popular representation, while others pooh-poohed it. But times have progressed since, and at present there is scarcely any one who denies the beneficent effects of a representative assembly. The government, however, has not the courage to try it; is that the reason why our officers deny it to the people? Our officers, it is true, affirm that the degree of civilisation to which our people have attained does not yet admit of a parliament. But the degree of civilization, to which our people have or have not attained, never made our * * * officers hesitate for a moment in introducing all sorts of customs and habits belonging to civilized countries, and for that purpose change the form of our administration, the architecture of our houses, the building of our roads, or to import all kinds of foreign machinery. How comes it then, that a parliament is the only foreign institution that does not suit our people?

"At the beginning of the Restoration, the Emperor ordered a general deliberative assembly, and afterwards an Imperial edict was issued, which proclaimed a 'constitutional monarchy.' This proves that it was His Majesty's will to establish a National Assembly, and the people have now for years been in expectation of it, as eagerly as husbandmen after a long drought yearn for rain. Only our officers do not want it. Is it because it might be inconvenient to them?

"Again, at the beginning of the Restoration, when our administrative system was re-organized, it was provided that the term of service for all government officers should be four years, and that they should be chosen and re-appointed by public vote. Since that time our administrative system has often been recast, but no further mention has ever been made of a fixed limit for the term of office. Some departments and bureaus have been abolished, and new ones substituted, but through all these changes certain high officers have managed to keep their rank and position, as if the same were hereditary in their families. What has then become of 'appointment by public vote?'

"We have already mentioned that these * * * officers under an outward mask of uprightness conceal an utter selfishness; they deny the people their birthrights, and hinder them from openly stating their legitimate wants, and therefore we repeat it: they stifle the voice of public opinion, oppress the people and govern it in their own interest.

"*Second crime.—They confuse our law system by their arbitrary enactments; their constant aim is to serve their own interest and to increase their own wealth and influence.* Laws and regulations ordering what to do, and prohibiting what not to do, are now issued accordingly as it suits the convenience of the government officers, without any regard to the wants of the people. The laws are therefore constantly altered. What was law in the morning, ceases to be law in the evening. Thus the people become confused and are entrapped by severe and tyrannical laws. In some cases our officers, without due reflection, adopt the laws of western countries and want to subject our people to them; and if the people complain that these laws do not suit them, then our officers rebuke them and tell them that it is the duty of the people to obey, and that the law in such and such a foreign country is such and such. But our ignorant people do not know what their duty is, nor do they understand the laws of foreign countries, so they become sullen and brood in silence over their wrongs, hating the officers, whose power they know it is useless for them to try to resist. Such is at present the state of most of the *ken*.

"In our Ishikawa *ken*, for instance, the officers are constantly grasping after more power, and their administration is arbitrary and for selfish ends. An old proverb says: "Whatsoever the highest in the land are doing, the lowest in the land are sure to ape them," and unless the central government were enacting rules and prohibitions in a loose and disorderly manner, it would never have happened that every *ken* in the country was in such a state of confusion. The laws should be the means of upholding justice, and of preventing both government and people from wrong-doing; but our officers administer the laws solely for their own private ends.

"An instance of this is the affair of the copper mines and * * * *, which caused a great stir among the public. Makimura Masanao was arrested by orders from the *Shihosho*, and again suddenly set at liberty by a special order. His arrest was evidently not ordered by His Majesty, but was an arbitrary act committed by our * * * officers, and in consequence of such acts we now frequently see the officers of the Department of Justice compelled to resign. Osaki Samro and Inouye Ki once brought an action against a newspaper editor, because he had written a certain article against Osaki Ki and Inouye Samro. They pleaded that he had only transposed their names, and that his article was meant for them. And although there was no evidence at all that they were meant by the transposed names, and the charge rested solely upon guess and supposition, the judge nevertheless accepted their complaint and condemned the editor. After sentence had been passed, it came out that they were really meant by the transposed names, but when the case was tried before the judge, there was no evidence of it at all. But if guess and supposition be sufficient to condemn a man, then it may happen that when a person has lost one of his fowls, and he sees another man eating fowl on the same day on which he lost his own, he may bring an action against that other person for having stolen his fowl. What would we say of a court, which in this instance took the charge for proven without any further evidence?—When the press laws were first issued, many people were thrown into prison for having violated these laws, although they were quite ignorant of having committed any offence, but nevertheless the judges never failed to condemn them.

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"We said already that our * * * officers administer the laws of the country in their own interest, and not only does each and every one of them administer the laws in his own interest, but they assist each other and favor each other in that administration, and the one helps to cover up and conceal the * * * of the other. Clique government has now become the rule, and extends even to the lower officers, who are either bound to the higher officers by the ties of relationship, or depend upon them as far as their promotion or discharge is concerned. Even the merchants find it to their advantage to flatter and bribe the high officers. When officers meet together, their conversation always turns upon Mr. So and so having got a place through the influence of Mr. So and so; when merchants meet, the talk is: "if you apply to such and such a Minister, your petition will be granted," or "if you address yourself to such and such a chief of department, he will give you the desired permission," or else "such and such a Minister has formed a company jointly with such and such persons" and "such and such a Vice-Minister has established a manufactory in company with such and such persons." In this manner [illegible] in his nefarious proceedings,

and officers and private individuals are mixed up together in lucrative bargains. These unpleasant things are openly talked about, and thus they reach our ears, we were therefore right when we said that our officers confuse our law system by their arbitrary enactments, and that their constant aim is to serve their own interest and to increase their wealth and power.

"*Third crime. They waste the revenues of the country on useless public works and superfluous public buildings.* It would appear that our officers at present have nothing so much at heart as to make roads and streets, erect new public buildings for the various government departments and construct highly ornamental official residences, and they say of course that this is merely an adoption of the ways of civilized countries. But ornamental buildings are not civilization; civilization may be the force, which among other things creates ornamental buildings, as the trunk and branches of a tree spring from its root. If then we take good care of the root, the branches will take care of themselves and grow stouter and denser. Our officers, however, only care for the branches, not for the root; what they want are the ornamental buildings; the force that would spontaneously produce these, they neglect. How came the countries in Europe to be possessed of venerable castles, excellent roads, splendid palaces, railways, telegraphs, gas &c., &c. and other things from which the people derive comfort and advantage in their daily life? Each country had a succession of great men, who extended the boundaries and increased the power of his country, strengthened the army and made the people prosperous. But to arrive at such a state of perfection took centuries, and now here, a few years after the Restoration, when everything is still in a state of transition, our officers waste our revenue and turn everything topsy turvy in order to bring our country with one bound to the same state of perfection as civilized countries. Therefore we say that they waste the revenue on useless works and superfluous buildings.

"*Fourth crime. They dislike the loyal and patriotic men and by holding them in disgrace they cause domestic troubles.* In October 1873, SAIGO and four other *sangi* resigned office; the cabinet was broken up in consequence, a general excitement spread throughout the country, and one revolt raised its head after another. Searching for the cause, we find the question of the invasion of Corea to be at the bottom. Our * * * officers refused to entertain the question, and the five *sangi* threw up office in disgust. Now, with regard to the invasion of Corea, if our officers, although they had their own opinion on the subject, really wished to act to the best for the country, why did they not consult the rest of the cabinet, and through a discussion try to arrive at an impartial decision?

The reason why they did not do so was, that their cause was a weak one. When the Saga *samurai* demanded that Corea should be invaded, they had no intention of taking up arms against the government, but the government became suspicious of their meetings and discussions, and ordered the *kan* officers to disperse them by armed force. This roused them into resistance, but who but the government provoked their resistance? The duty of the government is to rule the people gently, and not to provoke them and drive them into revolt.

"As for MAYEBARA ISEI, it is likely enough that he struck the first blow, but his revolt was caused by the anger he felt at the intolerably overbearing conduct of our * * * officers. The government ought to rule its subjects with equal justice and impartiality; but how is that possible when it feels suspicious and distrustful of its subjects? The revolts of both YETO and MAYEBARA were caused by their anger and dissatisfaction, and are so far unjustifiable, but it was the misrule of the government, that provoked their dissatisfaction and made them appear rebels. The true rebels against our country are our officers; they bring the sovereign into contempt, grind down the people, toy with the laws of the land, use them as instruments for their personal profit, YETO and MAYEBARA did not rebel against His Majesty, their patriotism caused them to unfurl the standard of revolt. With what grace did our * * * officers look down upon them as rebels, and put themselves forward as His Imperial Majesty's most worthy Ministers?

"The Kagoshima affair last year was solely and entirely due to the secret machinations of our officers; some insight into these machinations was obtained by the general public, but the whole truth was never fully revealed, and therefore we shall do so now. When SAIGO, KIRINO and the others resigned office, a general excitement seized the Imperial guards, and under the pretence of illness everybody resigned and retired to his native province. SAIGO and his friends tried to keep them quiet, and established the "private school," in which these men were taught military science. The obvious reason for this was that as our * * * officers wasted their time in sloth and idleness, it would be difficult to defend the country if ever foreign troubles should arise. Therefore the pupils of the school wanted to prepare themselves to do their duty to their country, and their intentions went not any farther. But our officers were seized by an uncontrollable fear, and sent spies to examine and report upon the movement, * * * secretly plotted the assassination of SAIGO, KIRINO, and SHINOWARA, as soon as an opportunity should present itself. The plot, however, was discovered, and then SAIGO and his friends wanted to get at the bottom of it, and for that purpose to proceed to Tokio. But then the officers declared that the plot was only an invention of the "private school" party. This, however, cannot be, for if there were no plot, how came it to be confessed by the would be assassins? Even if one or two of them might have been unable to stand the pains of torture, and consequently confessed himself guilty of what he was in reality innocent of, their tales must have differed. If they did not speak the truth, it is impossible that they could all tell the same tale. No torture could have had that effect. And even if the * * * officers had not sent NAKAHARA and his followers as spies, and had not given them secret instructions, but NAKAHARA and his followers nevertheless confessed such things, although not true, can our * * * officers honestly blame SAIGO and his friends for putting themselves at the head of an army? SAIGO and his friends acted as they did, because they believed the confessions of NAKAHARA and his followers. To ascertain the truth, NAKAHARA and his followers ought to have been examined afresh. But this was not done, matters were left in darkness, and every effort was bent upon crushing the rebellion by main force. Our * * * officers issued a proclamation that SAIGO had violated the laws of his country, and ought to be punished. They declared that the country was in danger, and SAIGO's army exceedingly strong, and that there, therefore, was no time to make enquiries into the assassination charge.

"Now, the duty of a government is to rule with impartiality and justice, and if SAIGO were guilty and had deserved punishment, his guilt ought to have been ascertained and proven before punishment was decreed against him. The government, however, made no enquiry, because, forsooth! the country was in danger and SAIGO at the head of a strong army. But how could the government wielding as it did the entire military force of the empire, be in such dread of that small "private school" party, that it had no time to enquire into the charge? If our officers had been truly desirous to do their duty, what could have prevented them? Any one of them might have procured an Imperial order, and taking some law-officers along with him, have set out to meet SAIGO on his march. When then the Imperial order had been communicated to SAIGO, and a thorough investigation had been made, and NAKAHARA and his followers had been proved guilty, then let them have been punished; if, on the other hand, the assassination plot proved to be a pure invention, and a mere pretext of SAIGO and his friends, then let them be punished. If the government had acted in this just and impartial manner, and SAIGO and his friends had not submitted, but still held aloft the standard of revolt then they would indeed have become rebels and the enemies of the country, and the government would have been perfectly justified in putting them down by armed force, nor would there either now, nor afterwards have been raised a single voice throughout the empire to blame them. All this our officers knew perfectly well, but the thing is their conscience was not clear. Therefore they deceived the Emperor, used the army for their own purpose, and drove SAIGO and his friends into rebellion. Thus they managed to throw dust in the eyes of the people and to succeed in their treacherous scheme. Afraid of their power, nobody, now dares to speak of these doings of theirs, but at some future time public opinion is sure to find a vent, and their names will be handed down to posterity blotted with a foul stain. The public blame SAIGO and his friends for having set out at the head of an army, and say that as they violated the laws of their country, they were justly punished for their crimes. But this is a shallow judgment that does not look beyond the surface of things. As long as a government does its duty to the people and administers justice with impartiality, it is the duty of the people to obey and to keep peace. But if the government acts contrary to its duties, violates the laws and oppresses the innocent, then the government ceases to be a lawful government, and the people

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have a right to see that the laws are observed, and are not bound meekly to submit to oppression. When therefore SAIGO and his friends wanted to proceed to Tokio for the purpose of enquiring into the circumstances of the secret plot, they were perfectly justified in doing so; and if the pupils of the "private school" wished to accompany them for sake of protection, they also had a right to do so. From their desire to serve their country, the pupils of the "private school" had been following SAIGO's lead for years; in protecting SAIGO they thought they protected their country. When the government, acting contrary to its duties, attempted to injure its subjects, then they took up arms and looked out for themselves. We do not mean to espouse the cause of SAIGO, but ignorant as they are of the true mainsprings of men's actions, the general public are fond of passing their superficial judgments, like swallows and sparrows, that chirp and twitter when they behold the eagle soaring high above them. Therefore we have thought proper to give a plain statement of the facts.

"As already mentioned, these traitors have committed all sorts of unlawful acts, and brought about a general dissatisfaction, and we were right in charging them with keeping the loyal and patriotic men in disgrace and thus creating civil wars.

"*Fifth crime. In their intercourse with foreigners, they lose sight of the national dignity.* A number of years have already passed since the reign of the Bakufu, and during the whole of that time our country has been looked down upon by foreign powers; the injurious effects of this are becoming daily more manifest. The foreign powers are the strongest, and we have had to submit, and however repugnant to us, we feel it every day in our intercourse with foreigners. This ought now to be changed, and our foreign relations ought to be put on a footing in better harmony with the principles of international law. The obvious means for effecting this is a revision of the treaties; without such a revision the prestige of the nation can never be restored. But a revision presents very serious difficulties. And why? Because our military organisation is not yet sufficiently strong to enable our country to cope with foreign powers. Our most important problem at present is therefore to strengthen our military system that we may be prepared to defend ourselves by force of arms. This, however, requires a vast outlay, and it is therefore absolutely necessary to practise the strictest economy in every other branch of the administration, and avoid all useless expenses. When therefore I, ICHIRO, and my companions discuss our foreign relations, we confine ourselves to insisting on the urgency of a revision of the treaties, and as to the revision of treaties, we do not enter here into details, but we merely say that our military force ought to be increased and kept in perfect readiness, and that, as this would cost a large amount of money, all unnecessary expenses in other branches ought to be cut down.

"If now we examine how our * * * officers manage this particular and all important task, we see them reposing in comfortable indifference, and wasting the public revenue on useless works and ornamental buildings, but no heed is taken of our military service, and expenses in the other branches are daily increasing. More than ten years have now elapsed since the Restoration, and nevertheless neither our fortifications, nor our navy, nor the armament of our army are in the proper state of perfection, although all these things are of paramount importance for the defence of our country. At this rate it is impossible to tell, whether we shall ever be in a proper state of military preparation. Consequently we shall be unable to procure a revision of the treaties, although the treaties have expired long ago, and if the treaties remain unrevised year after year, our country must sink lower and lower and our people become more and more worried.

"What was the result of the Formosa expedition in 1874? We spent the lives of our youth and our treasure to no purpose whatever. We were hoodwinked by China, which paid over to us a small amount of money in return for the roads we had built on the island, while our government made our people believe that China had paid us a war-indemnity. Why does the government always deceive the people?

"Our present relations with Corea are mere humbug. From the times of the Emperors Chin-ai and Ojin (the 14th and 16th successors of Jimmu Tenno), Corea became a dependency of Japan and paid us tribute. The Coreans, however, took advantage of our intestine wars and ceased paying tribute; then Taiko-sama invaded Corea with a large force and subjugated it afresh. And now we have made a treaty with them on equal terms! We grieve for our Emperor, who is thus put on an equal footing with China's vassal. Was ever our country more bitterly defiled?

"As for the exchange of the island of Sagalien against the Kurile islands, it was a deep humiliation for our country. It was called an exchange, but in real truth the island was taken from us. We ceded to Russia an important country, and we received from her some worthless islands. It was an exchange of a treasure against trash. We never wanted to make that exchange, but we were compelled to comply with the demands of Russia. Such was the conduct of the traitorous officers in China in olden times when the *So* dynasty was fast approaching its end: for the sake of ingloricous peace they surrendered one province of the empire after another. Such an affront was never yet offered to our nation since it first became a people; now for the first time we have had to bear it, because our officers cause our present Emperor to act contrary to what his ancestors did. This is a great crime and ought assuredly to be punished.

"The Liukiu islands we have treated with injustice. The inhabitants petitioned our government and with some good reason. But our government instead of entering into negotiations with China, and coming to a clear understanding with that country whether the islands belong to us or not, took advantage of the inferior strength of the islanders, compelled them to change the form of their government, and wounded their national feelings. Our officers, who are so much afraid of Russia, are exceedingly overbearing towards Liukiu. Oh! ye traitors, did ye ever hear a story about the wolf? A wolf meets a tiger: directly he drops his tail, hangs his head and walks with timid steps. But let him face a fox or a badger: he swells with wrath, he snarls, his claws tear up the ground, he is every inch a mighty and ferocious beast.—Our officers are exactly like the wolf.

"But in foreign relations the great point is not to possess brute force and in virtue of that oppress the weak and cringe to the strong: the great point is to have right and justice on your side. This, however, our officers have still to discover; arrogance and flattery are their only modes of dealing with foreign powers; for the sake of an inglorious peace they bring humiliation on our country and court contempt abroad. It was for this we said that they mismanage our foreign relations and lower the dignity of the country."

Ack - Suggestions will receive attention
Congress makes an annual appropriation
for rewarding services to American vessels
I Did so Oct. 29. m Peck

No 849.

United States Legation,

Japan,

Tokei, September 10, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Gifts of the Japanese Govt. to Capt. Grinnell and their passage through the S. F. Custom House. Mr Bingham recommends the enactment of a law by Congress authorizing the remission of duties on such gifts, and also an appropriation to be expended in rewards to foreign subjects for like services to Americans.

No 849.

United States Legation,
Japan,
Tokei, September 10, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

Referring to Instruction No 367 in relation to the request communicated by me in my No 812, that measures be taken to enable Captain Grinnell, commanding the American merchant vessel "Ocean Pearl", to receive free of duty the gifts offered to him by His Imperial Japanese Majesty in grateful recognition of his humane service in rescuing at

Sea

sea from impending death the
owner and crew of the Japanese
vessel "Jusei Maru", which foundered
off the coast of Choshiu in 1877, which
gifts have been forwarded at the
Expense of His Majesty to San Francisco
and are there held for duties. I beg
leave to say that it seems due alike
to our own Government and to that of His
Imperial Japanese Majesty, that a
law should be passed by Congress
at its next session directing the
Customs officials who hold these gifts
of the Emperor to deliver them to
Captain Grinnell free of duty.
It cannot be that our Government will
allow the gifts sent to Captain Grinnell
to be held for duties, nor do
I suppose that under existing law

they

they can be returned to the Emperor of Japan.

I would also suggest that a general law be passed to the effect that in all cases of gifts by a Foreign Government to officers or men in the merchant service of the United States for like acts of humanity such gifts may be received by them, if forwarded to the United States, without any payment of duty, and also that, if delivered to them abroad through the United States Diplomatic or Consular Agents, the same may be taken home free of duty.

I also deem it proper to suggest that as such service is invariably recognized by this Government by a gift to the parties who

honor our flag and honor themselves by performing it, that a law be passed appropriating the sum of a few thousand dollars, to be expended in the discretion and by the direction of the State Department, in gifts to foreign subjects who by their timely efforts rescue shipwrecked American citizens. I had the honor in my No 606 to communicate an instance of such relief extended by Japanese to our countrymen, and take pleasure in communicating a like rescue of Americans this season, (see my No 847.)

I have the honor to be, Sir,

Your obedient servant,

Wm. A. Pinkham

Ack, approving Mr Bingham's action. See report of Judge O'Connor dated Dec 2. Dis Dec 12 to Mr Folk.

No 850.

Judge

United States Legation,

Japan,

Tokei, September 11, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Mr Mangum sends for Mr Bingham's approval certain municipal regulations proposed by the Governor of Nagasaki to the foreign Consuls at that port. Mr Bingham, while not denying the right of the Japanese Govt. to enact regulations not inconsistent with the treaties and the duty of our Consular Courts to

enforce such regulations according to American law, withholds his approval from the regulations in question on the ground that he has no power to legislate over Americans in Japan, nor to approve Japanese laws prescribing the penalties to be laid by our Consular Courts, and providing for the handing over of fines collected by those Courts to the Japanese Government.

Enclosures.

1. Mr Mangum to Mr Bingham, Aug. 15/78
2. Regulations.
3. Mr Bingham to Mr Mangum, Sept. 5/78.

No 850.

United States Legation,
Japan,
Tokei, September 11, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to inclose herewith
1/850 a copy of a despatch addressed to me
by Willie P. Maugunn Esq, United States
2/850 Consul at Nagasaki, of date the 15th
ultimo, and also a copy of the inclosure
therein mentioned, viz: a draft of reg=
ulations submitted to the Consuls at
that port by the Governor of Nagasaki.

You will observe that Mr
Maugunn submitted these regulations

to

to me for my approval. On the 5th instant I replied to Mr Mangum to the effect that I could not approve the regulations as requested by him, because the regulations imposed new obligations and penalties upon American citizens and required the fines therein prescribed to be paid over when collected by our Consul to the Japanese Governor (Kenrei) at Nagasaki; and for the further reason that I had no power under the Constitution and laws of the United States and the general and Special instructions of the Department to legislate generally over citizens of the United States in Japan; that

my

my power was by paragraph 431 of the Consular Regulations and also by Act of Congress restricted to such regulations as might be needful to furnish modes of procedure merely in our Courts in Japan for the enforcement of the laws and treaties of the United States, a copy of which reply to Mr Mangum I have the honor to enclose.

You will please note in my reply to Mr Mangum that I do not doubt the right of the Japanese Government to make police and municipal laws, not inconsistent with the treaties, for the government of

Nagasaki

Nagasaki; nor do I doubt that it is the duty of our Consular Courts to hear and determine according to American law complaints against American citizens for the violation thereof, and, upon conviction, to punish such offenders according to American law. (See United States Revised Statutes, sections 4083, 4084, 4085, 4086, 4087 &c &c.)

I also thought it my duty under my instructions to say to Mr Mangum that under existing treaties the Government of Japan cannot prescribe the remedies for our Courts, nor can United States Consular Agents prescribe penalties for offences, nor pay over

to the Japanese Government any fines imposed as penalties upon Americans for any offences whereof they may be convicted. I therefore said finally to Mr Mangum that it was for the Japanese Government to enact and issue its local laws, without asking the approval of our Consuls, and leave our Consuls free to determine and punish all offences committed by American citizens against the same in accordance with the laws of the United States and our Consular Court Regulations made in pursuance thereof.

thereof.

Trusting that my action herein accords with my instructions and that the same may meet your approval,

I have the honor to be,

Sir,

Your obedient servant,

Wm A. Bingham

Enclosure No.

(Copy)

No. 58.

United States Consulate,
Nagasaki August 15, 1878.

To

His Excellency
Hon. John A. Bingham,
U. S. Envoy Ex. & Minister Plen.
Tokio, Japan.

Sir:

I have the honor to send you herewith copy of a Draft of Regulations submitted to the Treaty Consuls at this port by the Governor of Nagasaki under which Public Houses are to be kept within the Foreign Settlement of

Nagasaki. These Regulations are well calculated to accomplish the object intended and meet with the approval of the Consular Body here, each of whom will forward a copy to his Minister by this mail.

I think it right and just to the Japanese Authorities that they should exercise the supervision therein proposed, and not inconsistant with any rights guaranteed by Treaty to Foreign Residents, and I trust they will meet with your approval and sanction. The latter part of Article 5. to wit;- "All monies

received from license, fees, fines and confiscations shall be appropriated to the requirements of the Foreign Settlement not already provided for," is intended especially for the maintenance of two foreign Policemen to be added to the native Police force, an addition that is much needed.

I have the honor to be
Sir,
Your obedient servant.
(Signed) Willis F. Mangum,
U. S. Consul.

Copy.

Draft.

Regulations under which Public houses are to be kept, within the Foreign settlement of Nagasaki.

(1) No person shall, within the Foreign settlement of Nagasaki, carry on the business of a Public house, Tavern, Inn, or Hotel keeper, or otherwise sell intoxicating drinks for consumption on the premises, without having first obtained a License for the purpose from the Kencho, through the resident Consular authority of the nationality to which he belongs, - if he has one, - or, if not, direct from

the said Rancho.

(2) For such License a fee of fifteen dollars shall be paid to the Rancho once in each quarter,- counting from the 1st. Jan. 1st. Apl. 1st. July and 1st. Oct. in every year.

(3) Such License fee shall be payable, in the first instance, on the receipt of a License, and subsequently, on the first day of each quarter, in advance; and if payment be not made on such day the Consul will be requested to demand its payment.

(4) If payment of such License fee be delayed till ten days after demand through the

Consul,- or direct, in the event of the person concerned having no resident Consular Authority, the License shall be confiscated, and given up to the Kencho.

(5) Any person selling intoxicating liquors within the Foreign Settlement without a License may be prosecuted before the proper authority, and on conviction he shall be subject to a fine not exceeding $25. for each offence, together with the confiscation, in the discretion of the court, of any intoxicating liquors found upon his premises.

All such fines and confiscations shall be handed over to Kencho. All monies

received

received from Licenses fees, fines, and confiscations, shall be appropriated to the requirements of the Foreign settlement not already provided for.

(6) It shall further be competent for any Consular or other Court having jurisdiction over any person licensed under these Regulations, to decree the confiscation of such License in the event of such person being convicted before the court of keeping a disorderly house. In such cases due intimation of such confiscation shall be given, and the certificate of License returned to the Kencho.

The following shall be

the

the form of License:-

Certificate of License

— — a — subject (citizen)
residing at No. — within the
Foreign settlement of Nagasaki,
is licensed to carry on the busi=
ness of a [Hotel, Public House, Spirit
=Shop &c] keeper from this date.

of Nagasaki Ken.

These Regulations shall come
into force ten days from the time
of their being publicly notified by
the Gon-Rei of Nagasaki Ken and
Consuls of Treaty Powers at Nagasaki.

No 850.

Enclosure 3.

Copy.

No 614.

United States Legation,

Tokei, Sept 5., 1878.

Willie P. Maugum Esq,

U. S. Consul, Nagasaki.

Sir:

In reply to your No 58 of date the 15th ultimo, which reached this Legation on the 22d ultimo, I have to say that the regulations submitted to the Consuls at Nagasaki by the Japanese Governor of that port (a copy of which you enclosed) cannot receive my approval, as you request, because by the Constitution and laws of the

United States, and under my general instructions and also the special instructions of the Department, I have no power to legislate generally over American Citizens in Japan, and, consequently, no power to impose new obligations or new liabilities and penalties upon them; and for the further reason, that the regulations proposed by the Govrnor prescribe specific penalties, and also require that the fines imposed thereunder "shall be "handed over to the Kencho". My power to make regulations, you will notice, is by statute and paragraph 431 of Consular Regulations specially restricted and defined.

I do not doubt the right of

the Japanese Government to make police and municipal laws, not inconsistent with existing treaties, for the port of Nagasaki, nor the duty of our Government in its Consular Court to hear and determine, according to American law, all complaints against American citizens for the violation of the same, and, upon conviction of such offenders, to punish them as provided by our own laws; but the Government of Japan cannot, under Existing treaties, prescribe the remedies for our Courts for any offences against law; nor can the Diplomatic or Consular agents of the United States prescribe the penalties for any offences against law; nor can Consuls, under our laws, pay over to the Japanese

Government any fines imposed as penalties upon American citizens upon conviction of offences committed by them in violation of the laws of Japan or of the United States.

You will notice from the foregoing, that, in my opinion, the Japanese Government should issue its law without asking the approval of our Consuls, and leave the Consuls perfectly free to determine all complaints for violation thereof, and, upon conviction, to punish all American citizens for their violation according to American law, as required by the Act of 1860 &c.

I am, Sir,

Your obedient servant,

(Signed.) Jas. A. Bingham.

Ans'd Oct. 31. 1878
ada

Ack. & send to Cons. Bur.
C. P.

Mr Adee & Lothrop

No 851.

United States Legation,

Japan,

Tokei, September 11, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject

The office of U.S. Consular Agent at Hakodate having become vacant by the resignation of Mr Harris, Mr Van Buren requests Mr Bingham to obtain the consent of the British Minister to the appointment to that office of Captain Thos. Blakiston, a British subject, stating that there is

no American at Hakodate. Mr Bingham communicates with Sir Harry Parkes on the subject, who informs him that the appointment of a British subject to such an office must receive the approval of H. M's. Govt. and is subject to revocation by it. In view of this, and also of the Dept's. approval of the Japanese Govt. order for the deposit of ships' papers with the Custom House officials at ports where there are no U.S. Consular officers, Mr Bingham concludes not to make temporary appointment of Capt. Blakiston, and so informs Sir Harry and Mr Van Buren.

No 851.

United States Legation,
Japan,
Tokei, September 11, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

On the 30th ultimo I received from Mr Van Buren, United States Consul General, a despatch notifying me that Mr Harris, our Consular Agent at Hakodate, had resigned; that he (the Consul General) had nominated Captain Thomas Blakiston, a British subject resident at Hakodate, for appointment to the office, and requesting that

that I should officially make enquiries of Sir Harry S. Parkes, Her Britannic Majesty's Minister, (as he, the Consul General, had already unofficially enquired of him) if there were any objections to Captain Blakiston's acceptance of the appointment, Mr Van Buren assigning for his action the reason that "no Americans are left in "Hakodate".

On the 6th instant I addressed a note to Sir Harry Parkes, stating that I desired, upon request of our Consul General, to obtain His Excellency's consent that I might appoint Captain Blakiston temporarily to the Consular Agency of the United States at Hakodate. On the 7th

instant

instant Sir Harry replied that he would grant my request to the extent of his power, which he says in his note "is limited to "a provisional consent to British "subjects being appointed Consuls "or Consular Agents in this country "for Foreign Powers, pending the "approval of such appointment by "Her Majesty's Principal Secretary "of State for Foreign Affairs", and which consent, if given and approved, is subject, Sir Harry says, "to "the condition that the holding of "such Consular appointment by a "British subject in this country is "liable to revocation by Her "Majesty's Government".

After

After making this request of Sir Harry I received your Instruction No 370 approving my action upon the order of the Japanese Government communicated in my No 815 of date the 25th of June last, that the commanders of American vessels entering the open port of Niigata, or any other open of Japan in which the United States shall have no Consular Officer, shall deposit the register and papers of such vessels with the Japanese Customs officials. In my opinion this order, (which had passed from my memory,) superseded the necessity of a temporary appointment at Hakodate by me, and I therefore concluded

that

that I should not make a temporary appointment of Captain Blakiston under Consular regulation 49, it appearing by this order so approved by the Department American vessels could enter and clear at Hakodate by delivering their papers, as therein directed, to the Custom House officials of the port in the absence of a Consular officer of the United States at that port. I accordingly advised Sir Harry Parkes and the Consul General that I did not deem it needful to make such appointment.

As the Consul General informs me that he has nominated Captain

Blakiston

Blakiston to the Department for appointment to the office of Consular Agent at Hakodate, it seems proper to call your attention to the fact disclosed by Sir Harry Parkes to me, that, being a British subject, Captain Blakiston cannot accept the office without the consent of the British Secretary of State for Foreign Affairs, and that such consent is subject to revocation at any time by Her Britannic Majesty's Government. In my opinion it is not desirable that a United States Consular office in Japan should be tendered to a foreign subject who cannot accept the office without

without the consent of the Foreign Power claiming his allegiance being first had and obtained, and which consent is liable to revocation by such Foreign Power at any time.

I have the honor to be,

Sir,

Your obedient servant,

Jno. A. Bingham

Wilde

Copy sent to Mr Stevens and
pay the book will be sent.
Dick 25 Oct. 25
Mr Bok

No 852.

United States Legation,

Japan,

Tokei, September 12, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Request for a record book for the use of the Legation.

No 852.

United States Legation,
Japan,
Tokei, September 12, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

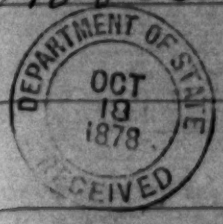
Sir:

I have the honor to request for the use of this Legation a Department record book, marked on the back "Department of State, Volume 4."

I have the honor to be,
Sir,
Your obedient servant,
Mc A. Knight

Mr Adee

No 853.



United States Legation,

Japan,

Tokei, September 12, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Receipt of Instructions Nos. 363, 364, 365, 366, 367, 368, 369, 370, 371, 372 and 373.

No 853.

United States Legation,
Japan,
Tokei, September 12, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to acknowledge the receipt of Instructions numbered 363, 364, 365, 366, 367, 368, 369, 370, 371, 372 and 373, respectively, together with the several enclosures therein referred to.

I have the honor to be, Sir,
Your obedient servant,
Mc. M. Bingham

Nak. to P.

No 854. Legation

DEPARTMENT OF STATE
OCT
18
1878
RECEIVED

FOREIGN Relations 78

United States Legation,
Japan,
Tokei, September 12, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

Progress of the Emperor through the north of the Empire. Popular demonstrations on the route, and visits of the Emperor to the schools.

Enclosure.

Extract from the Tokio Times, Sept. 7/78.

No 854.

United States Legation,
Japan,
Tokei, September 12, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

His Majesty the Emperor of Japan set out upon a progress through the north of the Empire on the 30th ultimo. It appears by a notice published in the Tokio Times of the 7th instant, that His Majesty is received by formal ceremonies and popular demonstrations which indicate the affection of the people for their Sovereign and their loyalty to His Majesty's Government.

His

His Majesty visits the public schools on his route, thereby indicating a regard for the welfare of his people and a belief that the safety of good government is not endangered by the general education of the governed.

Herewith I enclose the notice from the Tokio Times of His Majesty's progress.

I have the honor to be,

Sir,

Your obedient servant,

M. a Ruggles

No 854.

Enclosure.

Extract from the Tokio Times of September 7, 1878.

Copy.

The northern journey of His Majesty the Emperor is marked by similar formal ceremonies and jubilant popular demonstrations to those which distinguished his previous progress last year. His Majesty visits the schools, public offices and temples on his route, is received with suitable honors, and usually leaves tokens of remembrance behind him. Thus far the Imperial party

have had nothing but agreeable, though not especially stirring, experiences to encounter.

Acknowledged Oct 23

Ack. L. P.

No 255. Ist Desp.

DEPARTMENT OF STATE
OCT 19 1878
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FOREIGN RELATIONS 781

United States Legation,

Japan,

Tokei, Sept. 12, 1878.

Mr Bingham

to the

Hon Secretary of State.

Subject.

On the night of August 23 the second battalion of the Artillery of the Imperial Guard mutinied, but the revolt is suppressed after some loss of life. The Artillery of the Tokei Garrison, which was to have joined in the revolt, was removed the day previous to a place distant some miles from the City.

Enclosure

Enclosure.

Extract from the Japan Daily Herald, August 26, 1878.

No 855.

United States Legation,
Japan,
Tokei, Sept. 12, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

On the 23d ultimo I regret to say there was a revolt among the Imperial troops in this Capital in which the second battalion of the Artillery of the Imperial Guard was actively engaged, beginning the revolt near midnight by firing signal guns from their barracks, and moving from their

Quarters

quarters into the streets, where they met resistance from the Imperial forces, and after some hours of flight and pursuit, and some skirmishing and loss of life, the insurgents surrendered.

It appears that by concert it had been agreed upon between this battalion and the artillery of the Tokio garrison, that the latter should upon the firing of the signal guns join in the uprising, but the War Department, having been secretly advised of the proposed revolt, had on that day moved the garrison some few miles from Tokei and thus prevented its cooperation in

the

the conflict.

Much has been said of this affair, and no doubt the reported disaffection among the troops in different part of the Empire has been greatly exaggerated.

I enclose for your information the comments of the Japan Herald upon the affair, together with the various notifications of His Excellency the Prime Minister and the Minister of War &c. in relation to the revolt.

All is quiet now in the Capital.

I have the honor to be, Sir, Your obt. Servant,

Wm. A. Bingham

No 855.

Enclosure.

Extract from the Japan Daily Herald, Aug. 26/78.

THE revolt of the artillery of the Imperial Guard, which occurred on Friday night in Tokio, may, we fear, be followed by other outbreaks, unless preventive or pacifying measures be taken in time by the Government. The disaffection, it is certain, is not confined to the regiment in Tokio, but is common to all the troops of the Guard, most of whom are stationed at present in the South. The war-worn remnants of the picked soldiers of the empire are greatly dissatisfied about the real or supposed neglects they have suffered. If the grievance be well founded it is the more undeserved, as the brunt of the hard fighting against SAIGO's trained marines and *samurai* fell upon the Imperial Guard, as the thinned ranks of the regiments, and great numbers of wounded and crippled men testify. On the other hand, the officials of the Government say the rewards were fixed by ARISUGAWA-NO-MIYA, the Commander-in-Chief, are on a fair and even liberal scale, and that even if some reasons for dissatisfaction existed, they were still open to remedy, and that revolt and killing of officers are military crimes for which there is no palliation. It seems probable that the Government may have to disband the whole body of the unruly Prætorians, whose claim to regulate their largesses cannot be admitted. The Guards, it seems, have been restive for some time, and their insubordination, if not checked, would be a constant danger to the state.

As far as we can learn, the other troops of the garrison and armed police are not disaffected. But there is much and open discontent in the provinces. We do not mean that a revolt or insurrection may be expected, even in Tosa; but a concurrence of events, such as trouble with soldiery, and the calamity of a short harvest (now unhappily, imminent), may lead to evil events. Most of the provinces are, in the main, poor, and the burden of taxation now imposed is hard to bear, the late remission notwithstanding. As a rule, the native merchants and traders are poorer now than at any time during the last ten years; the farmer and peasant classes who, in the best of times, earn a bare subsistence only, are trembling at the prospect of a failure, or partial failure of the rice crop, and have no resources to meet the expected deficit; amongst the late privileged *shizoku* there is a deep resentment against the sharp practice of the Government, and the increasing miseries and hopelessness of the unfortunates may induce some desperate enterprises on the part of these pauperised and suffering men. The members of the Government, with few exceptions, are regarded by the country with disfavour and distrust. The *Daijin* are necessary personages to deal with the aristocratic families, and are believed to be, in point of personal honour, without reproach. But with the *sangi*, the adroit, clever, unscrupulous *karos*—who are now turning the empire to profit—the case is different, and the necessity of an organic change of Ministry, if the government of the empire is to go on without shock or hindrance, is daily more and more manifest. The personal acts of the Ministers are keenly discussed, and rarely with approval, and the more as at least one of the number took office with a reputation for probity not of the highest.

But while we are hopeful that in Japan honest and capable men could be found to administer the affairs of the state, the absence of training for public life in this country is a serious hindrance to selection. There is reason to fear that provincial feelings are yet too strong, and would in many or most cases bar high officials from asserting a wholly national policy.

As may be readily understood, it is reported that the finances are in a bad way. The year will close with a deficit. The crops will be, at the best, deficient in quality and quantity, and as stores of food are low, an import of rice may be necessary. Deficit, and the costs of outbreaks add to the increasing debt, which bears heavily on the empire. The Government seems to be blind to this, and many think that there must be a crisis ere long.

ALL excitement has died away in Tokio, and the affair has almost ceased to be talked of. No thoroughfare is permitted, however, along the road from the Hanzô to the Takébashi gate, just inside the moat in front of the British Legation, alongside the MIKADO's gardens. The sentries at the different public offices about town have fixed bayonets, and cartouch boxes slung round their shoulders.

2.

A NATIVE correspondent has sent us the following report on the military troubles in Tokio last Friday night:

On the night of the 23rd inst., about half-past eleven, the second battalion of the artillery of the Imperial guard, which is quartered inside the Takebashi gate, set its barracks on fire, fired two signal guns and then marched out, shouting and yelling. The reason why the signal guns were fired was that there was an understanding about the rising between the guard artillery and the artillery of the Tokio garrison, which is quartered at Ichigai; but the War Department, having discovered the plot, had ordered the garrison artillery to be reviewed at Oji on that very night. In this manner the garrison-artillery was prevented from joining in the mutiny. It is said that it was originally intended to postpone the mutiny until His Majesty's progress North; but it was objected that most of the Ministers would then be absent, and the mutineers would then have no chance of gratifying the grudge which they bore to some of them.

As the infantry did not join the artillery, the latter fired upon the former; this firing was returned and a fight ensued. The War Department, however, was not unprepared for the mutiny; it had received information beforehand of what was brewing, and as soon as the disorder broke out, the alarm was given to the public and the police by firing five guns at the Imperial palace. Immediately, every gate leading from the *Shiro*, such as Takabashi, Kijibashi, Kandabashi, Kajibashi &c. &c. was occupied by the guards, whilst the police received arms at the head station, and were sent to protect the Imperial palace and the residences of the *Daijin* and the *Sangi*. Some of the mutinous artillery men had however already made their exit, one party went through the Hanzo gate with the intention of laying their grievances before His Majesty; another party marched out through the Takebashi gate, and attacked the residence of the Minister of Finance, which was riddled with bullets. His Excellency Mr. OKUMA, however managed to escape unhurt, but the bullets were flying as far as Nishiki-cho and Ogawa-machi, to the great terror of the inhabitants, who fled in all directions, and one poor woman is said to have been killed near Suido-bashi by a stray shot. Major Utsunomiya and Captain Fukasawa of the artillery were killed by their own men while endeavouring to restrain the revolt, and several Lieutenants and non-commissioned officers of the loyal troops were killed during the fight.

When the artillerymen, who had proceeded to the Imperial palace, arrived before the gate at Akasaka, they drew up in a line and were hailed by the officer on guard, to whom they replied that they came to present a petition. On his asking them why they did not present it through their commander? they answered him that they had killed their Major and Captain. The officer on guard then called out the troops and ranged them opposite the artillerymen, and when he thought he had a sufficient force under his command, he ordered the artillerymen to lay down their arms on the spot. This was complied with and the artillerymen were all arrested. A similar fate soon overtook those who had attacked the Finance Minister's residence. They were surrounded on all sides by troops and armed policemen, and they seem to have had no further settled plan, so they surrendered without even trying to resist.

The cause of this revolt is said to be the dissatisfaction felt by that regiment of artillery at what was considered by them the partial distribution of rewards to those who had fought the Satsuma rebels. The fire at the barracks was got under about 1 a.m. on the 24th, and all the rioters were either captured or surrendered themselves. Before daybreak on the 24th, quiet was fully restored. But it is said that some weeks ago there was from similar causes a mutinous spirit among the infantry, which the officers, however, succeeded in quieting before it came to an outbreak.

We learn from another source as follows:— It has, for some days past, been known that great dissatisfaction prevailed amongst certain of the troops in Tokio, more especially amongst the Guards known as the *Konoye-tai*. No outbreak, such as that which has taken

place, was, however, expected until Friday morning when the Government became aware of the impending trouble—it is said through somebody having overheard the remarks of two soldiers who were conversing in a public place. Measures were at once taken to make head against the affair, without forcing an immediate outbreak. The Tokio garrison-artillery which were known to be parties to the plot, were sent out that same afternoon, to Oji, to drill; whilst in the case of another body of troops, the whole of the non-commissioned officers, who were suspected of being in league with the privates, were at once replaced by loyal officers from other corps, and thus a check was put upon the dissatisfied privates. It was understood that it was the intention of the malcontents to murder all the Ministers with the exception of Iro and SAIGO, whose persons however were to be secured. Of course the members of the Government were at once warned, and they were all, it is said, at the time of the outbreak safely ensconced, though in anxious expectation, within the walls of the palace. When the *Konoye-tai*, who were probably ignorant of their secret having transpired, and of the precautions taken, gave the signal for the outbreak by killing their commanding officer and setting fire to their barracks, they found that they were alone, and being but few in number, they were soon overpowered by the other troops and police.

That something more than a mere riot was intended, is proved by the fact, that the first act of the *Konoye-tai* was to fire volleys against H. E. OKUMA's house, proofs of which are still apparent, the garden fence being pierced with scores of bullet holes, and some bullets have even entered the house and damaged carpets, furniture, &c. Fortunately Mr. OKUMA, having been, as above stated, informed of the impending danger, had that morning removed his family to a safe place, and nobody was in the house at the time of the outbreak.

(*Chôya Shimbun* of August 25, 1878.)

THE following Notification was issued yesterday, the 24th instant, by the Prime Minister:—

"It is hereby notified that pending the measures for tracing and determining the affair of the riot of the Artillery of the guard within the Tokô-bashi, no persons are to be permitted to pass through the said gate."

On the same day the following notice was published by the *Ohji* of the Tokio *Fu*:—

"It is hereby made known that the signal guns fired a short while ago from the Imperial Residence were to give special warning in consequence of there being some soldiery who had proceeded to acts of violence within the barracks of the Artillery of the guard. The rioters, however, having been captured or given themselves up, have been completely quelled and the whole of the inhabitants of the various Districts (in the Tokio *Fu*) may be easy in mind."

FROM an extra published by the *Nichi Nichi Shimbun* on the 25th August:

The following notification has been issued by the *Dajôkwan*:

"To every *Sho*, *Ju*, *Shi* and Tokio-*fu*.

"The subjoined report from the Minister of War on the recent mutiny among the artillery of the Imperial guard, is hereby brought to public knowledge.

"The 24th August 1878.

"SANJO SANEYOSHI,
"*Dajô Daijin*."

"To His Excellency SANJO SANEYOSHI,
Dajô Daijin.

"The 23rd August, 1878.

"To-night at 11 o'clock some artillery men of the Imperial guard mutinied, partially destroyed their barracks, and fired some shots. They were, however, soon overpowered, most of those who had marched out were arrested and quiet was restored. The cause of this mutiny has not yet been ascertained, but will now be enquired into. The mutineers were all rank and file; not a single non-commissioned officer was implicated. I have hastened to forward this report.

"YAMAGATA ARITOMO,
"Minister of War."

The War Department has issued the following:

"NOTIFICATION.

"To every *Fu* and *Ken*.

"It is hereby notified that some artillerymen of the Imperial Guard have risen in mutiny, partially destroyed their barracks, and fired some shots, but they were quickly overpowered, most of those who had marched out were arrested, and quiet was restored.

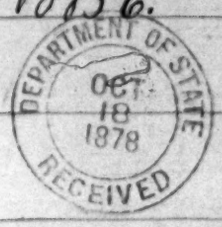
"YAMAGATA ARITOMO.
"Minister of War.

"The 24th Aug., 1878."

Rec'd Oct. 31. 1878
aaa

Ack. 6. P.

No 85-6.



In Adee

United States Legation,

Japan,

Tokei, September 12, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Death of the Emperor's infant son Take-no-Miya, and adoption by His Majesty of Sawa-no-Miya, the son of H. I. H. Arisugawa-no-Miya.

Enclosure.

Extract from the Choya, Aug. 29, 1878.

No 856.

United States Legation,
Japan,
Tokei, September 12, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

The Imperial Prince Take-no-Miya, the only son of His Imperial Majesty the Emperor of Japan, having deceased in July last, His Majesty on the 26th ultimo at the Imperial Palace announced that he had adopted Prince Sawa-no-Miya as his son, and presented him with the ceremonial robe. This young Prince is about the

age

age of nine years, and is the eldest son of His Imperial Highness Arisugawa-no-Miya, the Marshal of the Empire.

I enclose a translation from the Choya Shimbun of an article in relation to the ceremony at the Palace.

I have the honor to be,

Sir,

Your obedient servant,

Jno A. Bingham

No 856.

Enclosure.

Extract from the Choya Shimbun,
August 29, 1878. (Translation)

Prince Sawa-no-Miya, eldest son of H. I. H. Arisugawa-no-Miya, was introduced at the Imperial Palace on the 26th instant, (August) when His Majesty announced that he had adopted the Prince as his son and presented him with the ceremonial robe. The Prince afterwards drove home in one of the Imperial carriages escorted by cavalry. The Emperor and the two Empresses have made the Prince several

presents, and the Princes of the blood and other high dignitaries have offered their felicitations.

Ack. 6. P.

No 857.

Mr Adee

United States Legation,

Japan,

Tokei, September 12, 1878.

DEPARTMENT OF STATE
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RECEIVED

FOREIGN Relations 78

Mr Bingham

to the

Hon. Secretary of State.

Subject.

The assassins of the Okubo having been tried, were on the 27th of July sentenced, six of them to death, and others to various terms of imprisonment. The six were decapitated the same day.

Enclosure.

Translation from the Nichi Nichi Shumbun July 29/78.

No 857.

United States Legation,

Japan,

Tokei, September 12, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington, D.C.

Sir:

Referring to my several despatches in relation to the assassination of His Excellency Mr Okubo, I now enclose a translation from the Nichi Nichi Shimbun, by which it appears that on the 27th of July last the parties accused of the assassination were, after trial, brought into Court

and

and sentenced, six of them to death, four of them to imprisonment for life, and twelve of them for a term of years. The six Chief Conspirators, who committed the atrocious crime, were on that day at 11^{30} A. M. decapitated.

I have the honor to be,

Sir,

Your obedient servant,

Jno. A. Bingham

No857.

Enclosure.

Translation from the Nichi Nichi Shimbun,

July 29. 1878.

At about 10 a.m. on the 27th inst., Mr. Okubo's six murderers, Shimada, Cho, Sugimoto, Sugimura, Asai and Wakita were brought up before the special court in the *Shihoshō* from the police prison, and Tamano *hanji* passed sentence upon them. They were then tied with ropes and taken to the Ichigaya prison, where they were beheaded at 11.30 a.m. Among their accomplices, four were condemned to imprisonment for life, three to ten years', three to seven years', three to five years', one to one year's, and two to one hundred days' imprisonment; one was pardoned and four, two of whom were women, were acquitted. Shimada and his five associates recited each some verses of poetry immediately before their execution. The sentences run as follows:—

"To Shimada Ichiro, *shisoku* of Ishikawa *han*.

"You had arbitrarily decided to remove an officer of the state, who occupied an eminent position; for that purpose you conspired with Cho, Sugimoto, Asai, and others, you associated yourself with Wakita and Sugimura, and then you, Cho, and the four others just mentioned assassinated Okubo, *sangi*, at Kioi-machi, Tokio, on the 14th May 1878. For this crime you are hereby degraded from your rank as *shisoku*, and condemned to death."

(The sentences of the five others are *mutatis mutandis*, identical).

"To Matsuda Katsuyuki, *shisoku* of Ishikawa *han*.

"You conspired with Wakita and others to assassinate Okubo *sangi* for the purpose of changing the constitution of this empire, and with that object you came to Tokio. You returned to your *han* to enlist more conspirators but when you came back again to Tokio, Wakita and others had already perpetrated the murder. Although you were not present at the assassination, your criminal intention was manifest, and you are now degraded from your rank as *shisoku*, and condemned to imprisonment for lifetime."

No 858.

In Addn

United States Legation,

Japan,

Tokei, September 13, 1878.

DEPARTMENT OF STATE
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FOREIGN RELATIONS 78

Mr Bingham

to the

Hon. Secretary of State.

Subject.

On the hundredth day after the assassination of Mr Okubo the Emperor presented to his family 30000 yen.

Enclosure.

Extract from the Nichi Nichi Shimbun

August 31, 1878.

No 858.

United States Legation,
Japan,
Tokei, September 13, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring further to my despatch No 796 in relation to the assassination of His Excellency Mr Okubo, it gives me pleasure to note that on the hundredth day after the death of that faithful Minister it pleased the Imperial Household of His Majesty the Emperor to present to the family of the deceased Thirty thousand

yen

yen, as appears by a notice published in the Nichi Nichi Shimbun, a paper issued in this capital. I enclose 1/ a translation of the notice.

According to custom in Japan the hundredth day after the death of a friend is often observed in memory of the deceased.

I have the honor to be,

Sir,

Your obedient servant,

Jno. A. Bingham

No 858.

Enclosure.

Translation from the Nichi Nichi Shimbun,
August 31, 1878.

The 21st instant (August)
being the hundredth day since the
assassination of the late Udaijin,
("Junior Prime Minister" - posthumous title
given to Mr Okubo,) Mr Okubo, his
family were presented with a gift
of Thirty thousand yen from the
Imperial Household Department.

No. 859.

Dr Adee

DEPARTMENT OF STATE
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FOREIGN RELATIONS 78

United States Legation,
Japan,
Tokei, September 13, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

Mr Mori informs Mr Bingham of the arrest of the third person who was concerned in the attack upon Mr Ap Jones and Mr Russell. Those gentlemen are both in a favorable condition, and will recover from their wounds.

No 859.

United States Legation,
Japan,
Tokei, September 13, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

On the 11th instant I received from His Excellency Mr Mori, the Vice Minister for Foreign Affairs, a note in which he informs me that the Foreign Office has received from the proper authorities a statement that in addition to the arrest of two of the parties who entered the house of Mr Ap.

Jones

Aplones and Mr Russell, citizens of the United States, and inflicted severe sword wounds upon them (of which I acquainted you in my No 843) the third party has also been arrested, and is now held, with his two confederates, for trial and punishment. The names of the three criminals, as given by the Mori, are Fujisaki Keijiro, Fujisaki Shimei and Ozawa Kinzo. The last named has made confession of the crime. There can be no doubt that swift punishment will be inflicted upon these guilty parties.

It affords me pleasure to say that every attention is given by the Japanese officials

to

to Mr Apjones and Mr Russell and that they are both rapidly recovering from their wounds.

I have the honor to be,

Sir,

Your obedient servant,

Mc a Kinjhann

Ack
C.P.

Inst Adee

No 860.

United States Legation,
Japan,
Tokei, September 14, 1878.

Mr Bingham
to the
Hon Secretary of State.

Subject.

Mr Bingham, in accordance with instructions, has thanked H. E. Mr Ito, the donor of the illustrated volume of certain Japanese art productions which was forwarded to the Department.

No 860.

United States Legation,
Japan,
Tokei, September 14, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to Instruction No 365, I have the honor to say that I have this day, in pursuance of your request, conveyed to His Excellency Ito Hirobumi, His Majesty's Minister of the Home Department, the expression of the thanks of the Department of State for the illustrated volume

of

of certain art productions, which I had the honor to transmit at His Excellency's request.

I have the honor to be,

Sir,

Your obedient servant,

Jno. A. Bringhurst

Ack. Authorize Min. to do as he suggests
C. P.

Wadeck'd Oct. 25. 1878
Marshall

Wadee

No 861.

United States Legation,
Japan,
Tokei, September 14, 1878.

Mr Bingham
to the
Hon. Secretary of State,

Subject.

Referring to Instruction No 369 in relation to the payment of rent on one of the Hakodate Consular lots and surrender of the same, and to the resignation of Mr Harris, Mr Bingham enquires whether he shall pay the rent and charge the disbursement to the contingent fund of the Department.

No 861.

United States Legation,
Japan,
Tokei, September 14, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to Instruction No 369 in relation to the surrender of one of the United States Consular lots in Hakodate as specified in my No 814 and the payment of the rent in arrear thereon by Mr Harris, late the United States Consular Officer at that port, I beg leave to enquire, now that

Mr

Mr Harris has resigned, as reported in my No 854 to the Department, whether I shall surrender the lot in question, pay the rent in arrear and charge it to the contingent fund of the Department.

Respectfully submitted.

I have the honor to be,

Sir,

Your obedient servant,

Jno. A. Bingham

Judge O'Connor

No 862. Withdrawal as per opinion of Judge O'Connor Dec. 3. 1878 M. Polk

No. 44

United States Legation,
Japan,
Tokei, September 16, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

Withdrawal of appeals against A. C. Dunn in the Japanese Court and also of the action introduced into the U.S. Consular Court against him. He makes claim for indemnity on account of expense and delay in consequence of the non-satisfaction of his judgment, which claim is herewith submitted for the instructions of the Department.

Enclosures.

Enclosures.

1. Mr Terashima to Mr Bingham,
August 3, 1878.

2. Mr Dunn's statement, Aug. 28 1878.

No 862.

United States Legation,
Japan,
Tokei, September 16, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to Instruction No 372 in relation to the claim of Mr A. C. Dunn, I have the honor further to report that on the 3d ultimo His Excellency the Minister for Foreign Affairs addressed to me a communication (a copy of which is herewith) on the subject, in which he informs me that on the 31st

862

of

of July last all the several appeals then pending against Mr Dunn in the Superior Court (or Jato-Saibansho) and also the suit instituted by Ishizaka Shuzo, President of the Japanese Petroleum Mining and Manufacturing Company, against Mr Dunn in the United States Consular General Court at Yokohama were withdrawn.

Since that date, and before his departure for America with his family, Mr Dunn filed in this Legation his complaint setting out the long and unnecessary delay of the Japanese Courts in the enforcement of his claim and also stating the denial of

justice

justice in the case by the Tokio Saibansho in refusing process for his witnesses when he first instituted his action in that Court in 1874, and also in refusing for eighteen months to issue final process on the judgment of the Supreme Court rendered in his favor, in the same action, against the Japanese Petroleum Mining and Manufacturing Company.

In view of the fact that the neglect complained of were ended by the payment to Mr Dunn in full of the judgment, I have not presented his claim against this Government for indemnity, nor do

I

I consider that under your in=
structions I should present such
claim without first being specifi=
cally instructed so to do, inasmuch
as your Special Instruction No 331,
in relation to indemnity in
the matter, was qualified by
the words that "further unnec=
"essary delay in furnishing
"him (Mr Dunn) with such
"process will render it incum=
"bent on this (our) Government
"in the interest of one of its
"citizens to look to that of
"Japan for indemnity &c.
As it is Exclusively in the
discretion of the Department
to determine whether any
indemnity

indemnity shall be demanded of this Government under the circumstances, and also to decide what amount of indemnity, if any, shall be required, I beg leave to submit Mr Dunn's petition for indemnity to your consideration and to request such instructions as you may deem just in the premises.

It is very clear that Mr Dunn was, by the willful and needless delay and refusal of His Majesty's Court, the Tokio Saibansho, to issue Execution upon the final judgment of the Supreme Court, put to the Expense of detention in this City from the 1st of January 1877

1877 until the 31st of July 1878; and was thereby also subjected to the annoyance and expense of the fraudulent appeals taken by the defendants in judgment and the fraudulent action instituted by them in our Consular Court.

I have the honor to be,
Sir,
Your obedient servant,
Jno A Bingham

No 862.

Enclosure 1.

Copy.

Translation.

No. 31.

Foreign Office Tokio,
the 3d the 8th month
the 11th year Meiji.

His Excellency
John A. Bingham,
Envoy Extraordinary and Minister
Plenipotentiary of the U. S. A.

Sir:

I have the honor to acknowledge the receipt of Your Excellency's letters of the 5th and 17th July last, in reference to the execution of the judgment heretofore rendered in favor of A. C. Dunn a citizen of the United States against Ishizaka Shuzo,

President of the Japanese Petroleum Mining and Manufacturing Company for the recovery of salary and other expenses, together with a letter from Mr. Dunn presented to you. I am also informed by your Excellency's letter that the claim of Mr. Dunn as above mentioned was settled and the amount due paid to him on the 29th June last by the intervention of Hasiyuda Nobuyoshi, a Shizoku of the Kagoshima Ken, - and am further requested in accordance with the written terms of said settlement then made, to cause to be withdrawn, all pending complaints of the said Company which have been instituted in the names of the Shareholders of said Company in the Goto Saibansho and in the name of Ishizaka Shuzo

against Mr. Dunn in the United States Consular Court at Yokohama.

I beg to say in reply that I have referred the matter to and have been informed by the Judicial Department that on the 31st July last Ishizaka Shuzo reported to the Tokio Saibansho that the pending complaint of Heiji Doko and other shareholders of said Company in the Toto Saibansho and also his own complaint instituted against Mr. Dunn in the United States Consular Court had been withdrawn. I have therefore to inform Your Excellency that all matters relating to the execution of said judgement heretofore rendered

are

are thus settled.

I avail myself of this opportunity to renew to Your Excellency the assurance of my highest consideration.

Terashima Munenori,
His Imperial Japanese Majesty's
Minister for Foreign Affairs.

No. 862.

Enclosure 2.

Copy.

Tokio, Japan
August 28th 1878.

Honorable John A. Bingham
U. S. Minister,
Tokio, Japan.

Sir:

I have the honor to present to you my claim against the Japanese Government for the sum of $26,666 66/100 based upon the refusal of the Tokio Saibansho to grant me final process to satisfy the judgement rendered by the Toto Saibansho, on appeal in my favor against the Japanese Petroleum Mining and Manufacturing Company.

The illegal course pursued by said

Tokio Saibansho, has been the subject of Diplomatic action, and amounted in my estimation to a direct, plain and substantial denial of justice.

On the 22d July 1873 I entered the employ of the said Petroleum Mining & Manufacturing Company, as chief engineer under a contract for three years, at the rate of $10,000 per annum, and was illegally discharged therefrom on the 15th March 1874. On the 26th March 1874 I instituted a suit against the said Company, in the Tokio Saibansho for damages, for such illegal dismissal. During the pendency of the suit in the said Tokio Saibansho, I asked that court to subpoena certain persons to appear at the hearing as witnesses in my behalf. This the court refused to do, & in consequence thereof my complaint was dismissed. I appealed from the judgment of the

Tokio Saibansho to the Tokio Joto Saibansho, and on the 30th October 1875, the judgment of the former court was set aside by the latter, the contract above referred to (which provided that the individual shareholders of said company were personally liable for my salary) was declared to be in full force, and it was ordered that I be paid at the rate of ¥10,000.00 per annum, from the time of my discharge to the date of the judgment, and the judgment was sent back to the Tokio Saibansho for execution. The Defendants then appealed from this latter decision to the Daishin In, which court on the 27th December 1876, affirmed the judgment of the Joto Saibansho, except only in relation to an item of house-rent, for which I entered a remittitur in the Daishin In, thereby making its

judgment final and conclusive.

Upon the entry of judgment in the Goto Saibansho, I applied to the Tokio Saibansho for execution in satisfaction of said judgment, although, by law, there was no stay of execution by reason of the appeal to the Daishin In, my application was denied, and on the 29th June 1878 the judgment-debtors paid the judgment.

While I am constrained to believe that the Tokio Saibansho in refusing me mesne process in the first instance, was actuated by the same motives it was in denying me final process in the latter, still as the Goto Saibansho gave me damages based upon the salary said company agreed to pay me, up to the date of said judgment I would not be justified in claiming relief therefor.

I nevertheless, deem it proper to call attention to this substantial denial of justice in support of my claim for relief as above set forth, and also for the purpose of showing the hostility of the Tokio Saibansho towards me.

I was clearly entitled to the assistance of the Tokio Saibansho in obtaining satisfaction of the judgment immediately upon its rendition, and I am reliably informed, that such assistance as the court was legally bound to give me would have compelled an immediate payment of my claim. Such aid being refused, I was obliged to remain here, unimployed for the (space) of two years and eight months, to wit: from the 30th October 1875 to 29th June 1878.

My time thus wasted by reason of the

illegal act of the Tokio Saibansho I have estimated at the same value as did the Petroleum Mining and Manufacturing Company, viz: $10,000 per annum.

Upon the settlement of the judgment of the Toto Saibansho, I gave a receipt for the amount in which I waivid all further claims against the said company but in giving said receipt I did not in any wise relinquish my claim against the Government.

Of the annoyance, trouble and legal expenses I have been put to by reason of the default of the Tokio Saibansho, I shall say nothing at present.

I enclose herewith an affi

davit in support of my claim,
and shall at any time be prepared
to furnish you additional evidence
should you so desire.

I am, Sir,

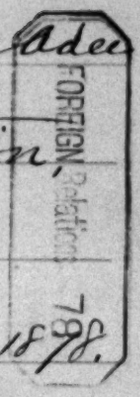
Your Obed't servant

A. C. Dunn.

Ack. 6. P.

No 863.

Ser Adee



United States Legation,
Japan,
Tokei, September 16, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

Japanese financial estimates for 1879. Public debt ¥375,000,000, to be provided for by annual payments of yen 20,000,000. Revenue for the year yen 53,275,900; expenses, the same. Mr Bingham calls attention to the fact that of the revenue 40,373,975 yen is from land tax.

Enclosure.

Financial Estimate. From the Tokio Times, Sept. 14/78.

No 863.

United States Legation,
Japan.
Tokei, September 16, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith for your information the report of the Japanese Minister of Finance of the estimated revenues and expenditures of His Imperial Japanese Majesty's Government for the fiscal year commencing July 1, 1878, and ending June 30, 1879.

The report shows the present liabili-

ties

ties of the Government to be 375,000,000 yen, and proposes to provide for a reduction thereof of 20,000,000 yen per annum, and its full payment in twenty eight years.

The revenues for the current fiscal year are estimated at 53,275,900 yen, and the Expenditure thereof at a like amount.

Of the estimated revenue for the year 40,373,935 yen is to be derived from land tax alone, while but 1,070,684 yen is estimated from imposts upon imports for the year.

And this system of raising more than three fourths of the national revenue by a tax on the lands

of

of the producers of the nation's bread is the necessary result of the existing commercial restrictions imposed by treaties upon this Empire, and to perpetuate which is the manifest purpose, in my opinion, of some of the European States. It is to the honor of the United States of America that its Government, under your just and enlightened action, has declared its readiness to lift from the oppressed people of Japan this burden too grievous longer to be borne.

I have the honor to be,

Sir,

Your obedient servant,

Wm. S. Knighton

No 863.

Enclosure.

Extract from the Tokio Times, Sept. 14/78.

REPORT OF THE MINISTER OF FINANCE.

NOTIFICATION No. 38.—TO KUWAN, IN, SHO, SHI, FU, KEN.

It is hereby notified that the following Tables of Revenues and Expenditures for the year between July of the 11th and June of the 12th of Meiji, inclusive, have been presented by Okuma Shigenobu, Minister of Finance.

SANJO SANEYOSHI,
Daijo Dai Jin.

September 4th, 11th year of Meiji.

The tables of the estimated revenues and expenditures for the year between July of the 11th and June of the 12th of Meiji, have been prepared. I now respectfully present them to your Excellency. I must premise that this statement, when compared with that of the previous year, will show in some respects an increase, and in others a decrease, on the sides both of income and expenditure. The causes of the various differences will be explained in detail in the introduction; but I will here briefly refer to some of the more important of them. The insurrection which occurred in the south-west last year had a considerable effect upon the then future financial condition of the country. The items of repayment of the national debt; annuities for meritorious services; favored allowances to soldiers, and police and other expenditure, have greatly increased. In other branches of the public service extra disbursements have been necessary; but, on the other hand, the ordinary expenses of the Dai Jo Kuwan and other departments, namely, In, Sho, Shi, and Kioku, have been reduced. Owing to the outlay entailed in the suppression of the rebellion and the consequent debts incurred by the government, the issue of pension bonds to Kuwa-shizoku and loans raised for the assistance of various industries, the national liabilities now amount to more than 875,000,000 yen; and the plan of repayment previously devised cannot be carried into effect. Now I submit my views for the establishment of a new system, whereby I propose to devote the sum of 20,000,000 yen a year to the purpose of liquidating the government indebtedness, which will be cleared off in twenty-eight years from the present time. The amount of the debt being so great, the annual appropriation,—covering, I grant, more than one-third of the yearly revenue,—cannot be expected to be of trifling amount. And, in order to allow this system to be worked out to its successful termination, we have but to be careful, to practise economy in our expenditures, and to avoid exceeding the sums here calculated upon as available. For, if such excess should be permitted, it is easy to see that the credit of the government with the people would be destroyed; and then the distress which must follow on a great financial calamity would be so great, that its results can hardly be predicted. The reason why I, Shigenobu, strenuously insist upon this point here, is that I esteem it as most important; and I beg that your Excellency also will vouchsafe to accord to it your illustrious consideration.

OKUMA SHIGENOBU,
Minister of Finance.

To His Excellency SANJO SANEYOSHI,
Daijo Dai Jin.
June 29th, 11th year of Meiji.

INTRODUCTION TO THE TABULATED ESTIMATES OF THE INCOME AND EXPENDITURES FOR THE YEAR.

The tabular estimates of the national income and expenditures for this eleventh fiscal year of Meiji, have been calculated and corrected upon the basis of memoranda of estimates furnished in due form by the head of every Cho, and include all probable items of disbursement and revenue during the current year. The following is a brief review of the matters provided for in the statements.

A scheme for the reduction of the government debt had already been drawn out in previous years; but since then the land tax has been reduced, while the amount of paper money in circulation has been increased on account of the rebellion in the south-west and the consequent debts incurred by the government; the issue of pension bonds and loans raised for the assistance of various industries.

As I have elsewhere explained, last year's estimates did not accord with the results. Therefore I have devised a new method whereby to liquidate the indebtedness of the government. I propose that twenty million yen should be annually appropriated from the national revenue, and, together with the interest accruing from the reserve fund, be applied to this purpose. The said scheme is to come into operation this year and continue in force for twenty-eight years, by which time the whole of the debt will be defrayed. The sum of 500,000 yen for the redemption of paper money from circulation, as shown in the tables, will be paid in coin, according to Notification No. 87, promulgated in December last.

Loans raised for the assistance of various industries will be collected according to Notification No. 7, issued in the month of April this year; and will be applied to the construction of railways and harbors, the opening of mines, cultivation of waste lands, and other like objects tending to promote the prosperity of the country. These works are to be carried out gradually; and the whole of the sums collected for the operations are not to be expended during the present fiscal year. This being the case, no allusion is made to them in the accompanying tables of revenue and expenditure. The progress of the undertakings, the results of their working, and the expense they involve and returns they bring in, shall be made known to the public once every half year.

Hitherto the revenue derived from government works in actual operation, and the cost incurred in maintaining them, have been included in the estimates. But, in July 1877, a notification was issued, giving instructions for an investigation to determine whether or not such works were remunerative, and to supply statements of their outlay and returns. Disbursements were then divided into two classes—preliminary and working. When a new work is projected, an estimate shall be made of the amount of capital necessary to start it and keep it going. If the enterprise is approved, the required sum will be advanced from the reserve fund. When repayment is made of the debt thus incurred, the sum will be returned to the reserve fund, and whatever gains are found to have been made over and above the capital will be called profit, and appropriated by the government. In the event of the works having to be discontinued on account of the scarcity of funds, the government may supply the deficiency from current revenue. Such being the case, the amount of the capital devoted to the works is not mentioned in the tables. What shall be published will be only the expense of opening the works, their net profit, and the sums supplied to aid in keeping them in operation.

The south-western war of last year having had a great influence upon the expenditure of the present year, and, moreover, there being sundry payments to be made on account of the public debt and various other expenses, the allowances for the annual expenditures of the Dai Jo Kuwan and of the various In, Sho, Shi, and Kioku have been reduced to the very lowest possible point, and thus the expenditure has, to a perceptible extent, been decreased. At the same time, as certain bureaux have been amalgamated with, and others separated from, various sections, here and there will be found sundry items showing an increase. These changes are minutely explained under the headings of the various divisions in which they occur.

REVENUE.

The revenues of the present fiscal year are estimated at a little over 53,275,900 yen, which is more than 2,019,400 yen above those of the previous year.

They will be found described under their several headings in order, and the cause of the increase in each instance will be apparent.

Customs Duty.—The amount arrived at in the estimates is found by comparing the transactions of the last, with the apparent prospects of the trade of the present, year.

Land Tax.—Last year when war was waging in the south-west there were some places wherein some portion of the taxes could not be collected. But during the current year they will be paid in full. This and the fact that the amended regulations are in operation, make it reasonably sure that a correct computation of the sums to be derived from the land tax can be made.

Taxes on the Productions of Hokkaido (Yezo).—As the productions of Hokkaido increase so do the taxes derived therefrom.

Saké Tax, Etc.—With reference to taxes on saké and the like, a notification was issued in December, 1877, whereby duties were imposed upon nigori-zaké brewers, wine vendors and those who sell saké to be drunk on the premises; while the dues paid by wholesale saké dealers were increased. The prospects of the present year have been taken into account, as above stated, in the consideration of expected increase from various sources of revenue.

Tobacco Tax.—The revenue derived from the tax on tobacco is estimated this year at an increased figure, the calculations having been based upon observation of the amounts realized in previous years and calculations as to the probable future increased consumption. The increase in returns from stamps on legal documents has been estimated in the same manner.

Postage Stamps.—From this source an increased revenue

is expected on account of extension of lines, and consequent increased number of letters transmitted.

Ruled Paper for Petitions, Etc.—An augmented revenue is anticipated from the fact that the sale of ruled paper has hitherto steadily increased. So have the fees paid by lawyers, the proprietors of vehicles, and persons entering into partnership, for their licenses.

Revenues derived from government property and miscellaneous sources were detailed in classes six and seven, in the table of revenue published last year; but, under the new arrangement adopted in this instance, they are here classified together. The undertaking entered into by a certain company to purchase by annual instalments the railway between Tokio and Yokohama, was not fulfilled during the past fiscal year; and, therefore, the estimated income was deficient by that amount. The revenue derived from the Hiroshima mine, which in last year's estimate was placed second in the 4th class, and the interest accruing from the reserve fund to be applied to the reduction of the national debt, have this year also been brought into this new classification.

The whole increase thus accounted for attains a sum of a little more than 4,502,700 yen.

The items of revenue, which, comparatively with the last, show a falling off in this, year's estimates, are next to be considered:—

The probable future return from the tax on weights and measures has been calculated on the actual receipts therefrom last year.

Fees for passports and sundry other licenses were modified by notification No. 9 of May last.

Payment for stamps on silkworms' egg cards has been abolished by notification No. 10 of May last.

Revenue Derived from Public Industries.—The regulations relating to public industries having been, as above stated, amended by notification issued in July of the 10th year of Meiji, the estimated revenues therefrom are confined to such sources as yield an actual profit. Thus the receipts from the telegraph lines are not included, because no real profit is thence derived. Forests and laboratories, both pertaining to the Home Department, are joined to this class this year. The Sakai filature works were sold last year. The returns from the Hiroshima mine have been transferred to class five.

Repayment of some loans by the government to private persons has been made in the course of the last fiscal year.

The decrease noticeable in the above-mentioned items is somewhat more than 2,483,200 yen.

Deducting this amount from the before stated total increase, we have a net increase of more than 2,019,400 yen.

EXPENDITURE.

The estimated expenditures for the present fiscal year are a little over 53,275,900 yen. The actual excess above those of last year amounts to more than 2,019,400 yen; and I shall now proceed to show the causes of this increment.

The Public Debt.—As I have before mentioned, it is to be made a special object in the future to pay off 20,000,000 yen per year from this liability; and the interest of the reserve fund is to be made contributory to this purpose, whereby, the foreign debt being diminished and the interest thereon decreasing with the capital, funds will be proportionately available for the liquidation of the home indebtedness.

The Imperial Family and Relatives.—The death of Nihon-Shinshi-nai Shin-O caused some decrease in this item of expenditure, but an increase has been occasioned by the establishment of the Prince Imperial Take no Miya.

Annuities for Meritorious Services.—This figure has been calculated on the basis of sums that have already been given and the probabilities of those to be bestowed in future.

Favored Allowances to Soldiers.—These have hitherto been classed among the expenses of the various Fu and Ken, but they are for the current year included in this table; also are included the items of money given to the families of those who were killed during the late civil war and the sums expended in the treatment of the wounded soldiers.

Dai Jo Kuwan.—The expenses attendant on the session of the Chiho Kuwan Kuwaigi are included in this item.

Imperial Household.—The charge of the Imperial tombs, which was hitherto held by the Home Department, has been transferred to the Imperial Household Department by notification No. 6, issued in February this year; and the grant for the musical section has been increased.

Kai Taku Shi.—Though revenue from taxes has augmented and the returns from government undertakings show increasing prosperity, yet, and as a natural consequence, a larger expense is also noticed.

Reorganization of the Land-Tax Reform Bureau.—Hitherto the cost of the paper used for title deeds has been borne by the various Fu and Ken; but now the item has been made one of the expenditures of the above bureau, as has the expense of transmitting title-deeds and transfers.

Post Office.—That the expenses of this department have increased is owing to the fact of the extension of lines, and increased conveyance.

Aid to Industry.—Funds disbursed in the encouragement of industry, and in the supply of capital to maintain it, have heretofore been provided for in the estimates of the respective Sho; but according to the new regulations for adjusting receipts and expenses in relation to industries, the outlay is here allowed for in another class. Increase in the expenditure of the War Department is explained by the reasons that guns and cartridges have had to be altered and improved according to the new system, and that much which was injured or destroyed during the rebellion in the southwest had to be repaired or replaced.

Expenses of Fu and Ken.—The items of paper used for title deeds, packing, and forwarding them to their destination, have been transferred to the 13th clause of the 4th class; and that of rewards to soldiers to the 4th clause of the 3d class; but as the cost of maintaining the rebels sentenced to hard labor: the traveling expenses of officials to and from the Chiho Kuwan Kuwaigi, before borne by the Kuwaigi In: expense incidental on taxes being collected in rice, in accordance with the terms of notification No. 60, November,

1877; and the cost of printing notifications, formerly defrayed by the public;—as all these last mentioned disbursements were by notification No. 16, January, 1877, ordered to be supplied from the coffers of the local governments, expenses under this head have augmented.

Police.—The expenditures of this department have increased owing to the heavy drain made upon its resources during the rebellion in the south-west last year, and to the extra outlay necessitated by the measures taken for the protection of the seven islands of Idzu.

The safeguarding of both Fu and Ken involve increased expenditure in the cases of five Ken—Kagoshima, Yamaguchi, Kochi, Oita, and Kumamoto,—owing to the troubles in Kiu Siu; and, in the case of the two Ken, Kanagawa and Hiogo, by the measures adopted for the protection of the foreign settlements.

Dykes, Etc.—Expenditures under this heading have increased, because to them are added the cost of cleaning and deepening the rivers in Tokio, cultivating Kana-yama in Yamagata Ken, and repairing the roads in Saitama Ken.

The Emperor's Tour.—The estimated expense of this journey was made out in accordance with the notification issued on the 23d of May.

The Nai Mu Sho Museum at Uyeno.—The cost of building this institution amounted to 100,000 yen. More than one half of this was paid by the Home Department during last year, and the balance is now carried on to the present estimates.

Police Prisons.—The police jails which were either too small or in a dilapidated condition have been renovated.

The total amount of the apparent increase is more than 6,714,800 yen.

There are some items of expenditure which are less than those given in the estimates of last year for similar purposes. They are separately enumerated below.

The retiring pensions of the old Imperial guards and the garrison troops should have all lapsed last year; but as some of the recipients were recalled under the banners during the rebellion, it was decided that their pensions should be continued to them for two years longer. The falling in of pensions, however, causes a decrease in this year's estimates.

The retiring annual grants to Shinto and Buddhist temples have been calculated on a lower scale.

According to the notification of July, the 10th year of Meiji, the manufactories hitherto connected with the Home, Finance, Navy and Public Works Departments have been respectively severed therefrom; consequently these departmental expenses will in future be only such as are incurred in the actual management of those departments; and a diminution is here shown. The cost of maintaining the places which have control of the sale of paper used for silkworm egg cards, of the Nai Mu Sho, has been reduced, and as the price of the ships bought in England was defrayed during the past fiscal year, that sum has not been included in the estimates of the present one.

The appropriation for Shinto temples has been decreased by a reduction in the salaries of the temple-keepers in accordance with the terms of notification No 91, issued in December, 1877.

According to Notification No. 6, issued in February of the present year, the appropriation for keeping in order the Imperial graves, which was before included in the general item of "repairs and construction in Fu and Ken," has been handed over to the Imperial Household Department.

Work in several foundries and laboratories connected with the Hiroshima mine has been discontinued.

As the project of the sale of the Tokio-Yokohama railway was abandoned last year, the government has no longer to pay interest on the various instalments received on account.

All the capitalized pensions which were to be compensated for in less than two years, were paid off last year. The funds for the representation of this country at the Paris Exhibition were also provided in the same period.

The total amount of decrease under the above headings is upwards of 4,695,300 yen. This sum, when deducted from the total increase, leaves a remainder of more than 2,019,400 yen to represent the actual increase.

This statement so far has shown the increase and decrease in the various items of expenditure and revenue. One or two more facts still remain to be explained with regard to the tables, the public debt, and the increase and diminution of the reserve fund.

The custom house dues have hitherto been described so that no distinction was made between the revenues from imports and those from exports; only the total amount collected at the various ports was stated. It has now been decided to specify the duties received on imports and exports separately, as it is important to observe the increase or decrease in each, from time to time, apart from the other. The subdivisions of the various parts, however, have not been stated.

The domestic debt bearing interest has been augmented by reason of the loan of 12,500,000 yen raised for the assistance of various industries, and included in the estimates. The bonds for pensions granted to the Kiu-Shin Kuwan (old shrine priests), have also been included.

New government loans and bonds for the pensions of the kuwazoku and shizoku have occasioned some increase.

The domestic debt not bearing interest has diminished, a certain part having been paid off during the past year.

The total decrease in the paper money is accounted for by the destruction or loss of notes.

A reduction in the foreign debt has been effected by the liquidation of that portion of it which had to be paid off last year.

An augmentation has been made to the reserve fund, by the transfer thereto of the surplus revenues of the eighth and previous years.

The following tables will show the details of the increase or decrease in the various items of revenues and expenditures during recent years.

COMPARATIVE TABLE OF THE REVENUES AND EXPENDITURES FOR THE EIGHTH, NINTH, TENTH AND ELEVENTH YEARS OF MEIJI, SHOWING THE INCREASE OR DECREASE IN THE SEVERAL ITEMS.

Revenues.

SOURCE.	11TH YEAR.	10TH YEAR.	9TH YEAR.	8TH YEAR.	DIFFERENCE 11TH AND 10TH YEARS.	DIFFERENCE 11TH AND 9TH YEARS.	DIFFERENCE 11TH AND 8TH YEARS.
	Yen.	*Yen.*	*Yen.*	*Yen.*	*Yen.*	*Yen.*	*Yen.*
Customs Duty and Miscellaneous Incomes connected therewith	1,933,739	1,767,139	1,762,554	1,744,837	Inc. 166,600	Inc. 171,185	Inc. 188,902
Land Tax	40,373,935	38,538,794	46,556,743	51,505,967	Inc. 1,835,141	Dec. 6,182,808	Dec. 11,132,032
Mining Tax	10,346	10,130	11,055	10,464	Inc. 216	Dec. 709	Dec. 118
Tax on Official Incomes	81,992	79,251	93,575	108,285	Inc. 2,741	Dec. 11,583	Dec. 26,293
Tax on Hereditary and other Pensions	None.	None.	2,198,914	2,267,810	None.	Dec. 2,198,914	Dec. 2,267,810
Tax on Produc'ns of the Northern Provinces	388,509	377,576	370,592	437,485	Inc. 10,933	Inc. 17,917	Dec. 48,976
Taxation of Riu Kiu Han	45,054	46,656	34,925	50,744	Dec. 1,602	Inc. 10,129	Dec. 5,690
Tax on Saké, etc.	3,502,155	2,412,029	2,373,859	1,613,083	Inc. 1,090,126	Inc. 1,128,296	Inc. 1,889,072
Tax on Tobacco	348,674	324,280	539,948	100,000	Inc. 24,394	Dec. 191,274	Inc. 248,674
Stamp Tax on Legal Documents	494,878	487,574	531,881	534,917	Inc. 7,304	Dec. 37,003	Dec. 40,039
Postage Stamps	800,000	750,000	652,884	570,000	Inc. 50,000	Inc. 147,116	Inc. 230,000
Various Stamp Taxes	144,320	258,328	444,088	571,418	Dec. 114,008	Dec. 299,768	Dec. 427,098
Miscellaneous	852,385	599,744	883,866	482,905	Inc. 252,641	Dec. 31,481	Inc. 369,480
Income derived from Mines	257,456	1,024,680	1,212,825	548,314	Dec. 767,223	Dec. 955,369	Dec. 290,858
Income derived from Railways	159,496	811,327	692,967	691,019	Dec. 651,831	Dec. 533,471	Dec. 531,523
Income derived from Telegraphs	None.	208,020	163,858	152,143	Dec. 208,020	Dec. 163,858	Dec. 152,143
Income derived from Mint of Finance Dep't	621,000	770,800	770,800	675,240	Dec. 149,800	Dec. 149,800	Dec. 54,240
Income derived from Manufactory of Paper Currency Bureau	100,000	85,000	20,510	18,445	Inc. 15,000	Inc. 79,490	Inc. 81,555
Income derived from Various Manufa'res, etc	43,370	292,707	365,200	431,832	Dec. 249,337	Dec. 321,830	Dec. 388,462
Income derived from Government Property and other Miscellaneous Income	2,315,302	1,267,637	1,989,103	3,035,630	Inc. 1,047,665	Inc. 326,199	Dec. 720,328
Repayment of Debts due to Government	803,313	1,144,767	1,325,496	3,037,728	Dec. 341,453	Dec. 522,182	Dec. 2,234,414
Total Estimated Revenues	53,275,926	51,256,439	62,995,643	68,588,266	Inc. 2,019,487	Dec. 9,719,716	Dec. 15,312,339

Expenditures.

OBJECT.	11TH YEAR.	10TH YEAR.	9TH YEAR.	8TH YEAR.	DIFFERENCE 11TH AND 10TH YEARS.	DIFFERENCE 11TH AND 9TH YEARS.	DIFFERENCE 11TH AND 8TH YEARS.
	Yen.	*Yen.*	*Yen.*	*Yen.*	*Yen.*	*Yen.*	*Yen.*
Reduction of Domestic Debt	19,472,790	15,810,558	3,736,819	2,516,182	Inc. 3,662,232	Inc. 15,735,971	Inc. 16,956,608
Reduction of Foreign Debt	1,726,265	1,770,488	1,814,628	1,829,473	Dec. 44,223	Dec. 88,363	Dec. 103,208
Imperial Expenditure and Payments to H. M.'s Relations	881,000	873,500	827,500	727,500	Inc. 7,500	Inc. 53,500	Inc. 153,500
Various Pensions	357,368	282,705	17,705,377	17,805,366	Inc. 574,663	Dec. 16,848,009	Dec. 16,947,998
Dai Jo Kuwan	298,000	292,500	494,000	400,000	Inc. 5,500	Dec. 196,000	Dec. 102,000
Gen Ro In	42,500	146,300	207,000	200,000	Dec. 3,800	Dec. 64,500	Dec. 57,500	
Kuwaigi In	ne.	None.	30,000	30,000	None.	Dec. 30,000	Dec. 30,000	
Foreign Department (Gai Mu Sho)	171,000	175,500	185,600	170,000	Dec. 4,500	Dec. 14,600	Inc. 1,000	
Home Department (Nai Mu Sho)	193,000	1,602,100	2,648,716	1,394,764	Dec. 609,100	Dec. 1,655,716	Dec. 401,764	
Finance Department (O Kura Sho)	1,186,700	1,538,100	1,798,600	1,604,600	Dec. 351,400	Dec. 611,900	Dec. 417,900	
War Department (Riku Gun Sho)	4,943,100	5,850,000	7,250,000	6,950,000	Dec. 106,900	Dec. 1,506,900	Dec. 1,206,900	
Navy Department (Kai Gun Sho)	2,641,600	3,217,500	3,549,700	2,700,000	Dec. 575,900	Dec. 908,100	Dec. 58,400	
Educational Department (Mon Bu Sho)	1,140,000	1,170,000	1,704,800	1,700,000	Dec. 30,000	Dec. 564,800	Dec. 560,000	
Old Depart'nt of Religion (Moto Kio Bu Sho)	None.	None.	73,000	70,000	None.	Dec. 73,000	Dec. 70,000	
Public Works Department (Ko Bu Sho)	614,800	2,925,000	4,900,000	4,750,000	Dec. 2,310,200	Dec. 4,285,200	Dec. 4,135,200	
Judicial Department (Shi Ho Sho)	1,216,000	1,248,000	1,420,500	1,250,000	Dec. 32,000	Dec. 204,500	Dec. 34,000	
Imperial Household (Ku Nai Sho)	289,200	273,000	316,000	222,500	Inc. 16,200	Dec. 26,800	Inc. 66,700	
Colonization Department (Kai Taku Shi)	1,495,584	1,457,100	1,905,660	1,799,716	Inc. 38,484	Dec. 410,076	Dec. 304,132	
Land Tax Reform Office	193,700	146,300	471,000	48,000	Inc. 47,400	Dec. 277,300	Inc. 145,700	
Post Office	1,099,000	1,049,000	1,051,096	905,236	Inc. 50,000	Inc. 47,904	Inc. 193,764	
Supplement for deficiency of Capital for preliminary & working Exp's of Public Works	1,261,764	None.	None.	None.	Inc. 1,261,764	Inc. 1,261,764	Inc. 1,261,764	
Fu and Ken	3,896,700	3,823,220	4,162,500	4,300,000	Inc. 73,480	Dec. 265,800	Dec. 403,300	
Bureau of Police	1,300,000	1,072,500	1,195,000	1,000,000	Inc. 227,500	Inc. 105,000	Inc. 300,000	
Local Police	1,443,101	929,246	750,000	600,000	Inc. 513,855	Inc. 693,101	Inc. 843,101	
Shrines	141,160	180,600	220,000	220,000	Dec. 39,440	Dec. 78,840	Dec. 78,840	
Repairs and Constructions in Fu and Ken	542,100	550,000	239,000	170,000	Dec. 7,900	Inc. 303,100	Inc. 372,100	
Repairs & Constre'ns of Dykes in Fu & Ken	1,456,500	1,416,500	1,400,000	1,200,000	Inc. 40,000	Inc. 56,500	Inc. 256,500	
Legations & Consulates in For'gn Countries	500,000	500,000	548,300	515,000	None.	Dec. 48,300	Dec. 15,000	
Miscellaneous Expenditures	572,992	376,722	559,051	6,920,169	Inc. 196,270	Inc. 13,941	Dec. 6,347,177	
Loans by the Government	500,000	500,000	500,000	1,500,000	None.	None.	Dec. 1,000,000	
Reserve Fund	1,500,000	2,080,000	1,330,000	5,000,000	Dec. 580,000	Inc. 170,000	Dec. 3,500,000	
Total Estimated Expenditures	53,275,926	51,256,439	62,993,847	68,498,506	Inc. 2,019,487	Dec. 9,717,920	Dec. 15,222,580	

According to these comparative tables, increase and decrease of the revenues and expenditures for the current year since the 8th year of Meiji are as follows:—

The entire revenue of the 11th year is 8.79 per cent. more than that of the 10th year, and 18.244 per cent. less than that of the 9th; and, furthermore, is 28.741 per cent. less than that of the 8th year of Meiji.

The entire expenditure of the 11th year is 8.79 per

cent. more than that of the 10th year, and 18.24 per cent. less than that of the 9th; and, furthermore, 28.578 per cent. less than that of the 8th year of Meiji.

TABLE OF ESTIMATED REVENUES AND EXPENDITURES OF THE YEAR, FROM JULY OF THE 11TH TO JUNE OF THE 12TH, YEAR OF MEIJI.

REVENUES.

	Yen.	Yen.
I.—Duties of the 1st class		1,933,739
Customs Export Dues	830,282	
Customs Import Dues	1,070,684	
Miscellaneous Customs Revenues	32,773	
II.—Duties of the 2nd class		40,899,886
Land Tax	40,375,935	
Mining Tax	10,346	
Tax on Official Salaries	81,992	
Tax on Products of Northern Provinces	388,509	
Taxation of Riu Kiu Han	45,054	
III.—Duties of the 3rd class		6,142,412
Duty on Saké, etc	3,502,155	
Duty on Tobacco	348,674	
Stamp Tax on Legal Documents, etc.	494,878	
Postage Stamps	800,000	
Tax on Ruled Paper for Petitions, etc	144,320	
Lawyer's License Fees	8,500	
Ship Licenses	132,989	
Cart Licenses	236,729	
Partnership Licenses	300,987	
Shooting Licenses	47,282	
Horse and Cattle-dealers' Licenses	61,653	
Weights and Measures	3,191	
Printing Licenses	2,814	
Passports and other License Fees	3,794	
Druggists' Licenses	54,446	
IV.—Net Proceeds from Public Works		1,181,823
Mining Department	257,456	
Railways	159,496	
Iron Works	15,639	
Filatures	13,202	
Mint	621,000	
Printing Office of Paper Money (Shi Hei Kioku)	100,000	
Dock Yards	14,530	
V.—Revenue derived from Government Property and other Miscellaneous Incomes		2,315,302
Sales of Government Property	560,324	
Rents of Government Property	225,919	
Miscellaneous Income	1,529,059	
VI.—Various Repayments of Money due to Government		803,314
Sundry Debts	458,816	
Refund of Loans made to Imperial Princes and Old Han	240,024	
Refund of Loans to Daimios	104,474	
Total Estimated Revenues		53,275,

In addition to the above there is to be reckoned 10,000,000 yen of the internal loan raised for the assistance of various industries.

EXPENDITURES.

	Yen.	Yen.	Yen.
I.—Reduction of National Debt			21,199,056
Domestic Debt		19,472,791	
Capital	3,976,879		
Interest	14,995,912		
Redemption of Paper Money	500,000		
Foreign Debt		1,726,265	
Capital	794,959		
Interest	922,725		
Commission	8,580		
II.—Annuity of Imperial Household and Family			881,000
III.—Pensions for Meritorious Services, Shrines, Temples, etc.			857,869
Retiring pensions to soldiers of old Imperial Body-guard and permanent garrisons		22,444	
Pensions to Shrines and Temples		146,162	
Annuity for Meritorious Honor		117,102	
Favored allowance to soldiers and other expenses for treating wounded men in war		571,660	
IV.—Expenditures of Kuwan, In, Sho, Shi and Kiyoku			17,224,195
Dai Jo Kuwan		298,000	
Gen Ro In		142,500	
Foreign Department		171,000	
Home Department		903,000	
Finance Department		1,186,700	
War Department		5,743,100	
Navy Department		2,641,600	

	Yen	Yen
Educational Department	1,140,000	
Public Works Department	614,800	
Judicial Department	1,216,000	
Imperial Household	369,200	
Colonization Department	1,495,585	
Land Tax Reform Office	193,700	
Post Office	1,099,000	
V.—Supplement to deficiency of Capital for preliminary and working Expenses of Public Works		1,361,764
Home Department	144,889	
War Department	500,000	
Navy Department	58,543	
Public Works Department	558,382	
VI.—Fu and Ken		3,896,700
VII.—Police		2,743,101
Bureau of Police (Keishi Kiyoku)	1,300,000	
Two Fu and Thirty-five Ken	1,443,101	
VIII.—Shrines		141,160
IX.—Repairs, Constructions and Dykes of Fu and Ken		1,998,600
Repairs and Constructions	542,100	
Dykes	1,456,500	
X.—Legations and Consulates in Foreign Countries		500,000
XI.—Miscellaneous Expenditures		1,072,992
Loan for Relief and Promotion of Industry	500,000	
Expenses of Emperor's Progress North	283,000	
Expenses of Building Museum in Uyeno	47,461	
Police Jails	95,563	
Sundries	146,968	
XII.—Reserve Fund		1,500,000
Grand Total of Estimated Expenditures		53,275,926

There is no excess nor deficiency of revenues or expenditures.

In addition to the above is to be reckoned the expenditure for public works, amounting to 10,000,000 yen.

NATIONAL LIABILITIES.

HOME DEBT.

	Yen.	Yen.	Yen.
Bearing Interest			232,089,815
New Loan at 4 per cent		11,594,250	
Bonds for Exchange of Kinsatsu at 6 per cent		2,105,950	
Bonds to Nobility and Gentry at 8 per cent		16,196,375	
Bonds for pensions		174,219,915	
At 5 per cent	31,338,130		
At 6 per cent	25,078,960		
At 7 per cent	109,207,255		
At 10 per cent	8,605,570		
Bonds for Pensions granted to Kiu-shin Kuwan (old shrine priests) at 8 per cent		423,825	
Loan for Public Works at 6 per cent		12,500,000	
Money borrowed for repression of the south-western rebels, at 5 per cent		15,000,000	
Without Interest			9,659,260
Paper money in circulation			120,927,209
Total			362,626,284

The above shows an increase of 18,154,825 yen over the estimates of the 10th year, divided as follows:—

	Yen.
Bonds for pensions	78,075
New Bonds	143,300
Old Bonds	9,625
Bonds granted to Kiu-shiu Kuwan (old shrine priests)	423,825
Bonds for Public Works	12,500,000

The debt on old bonds has been reduced by 218,829 yen: on pensions of kuwa-shizoku by 8,850 yen; and on paper money by 127,522 yen.

FOREIGN DEBT.

	Yen.	Yen.
Total		12,634,079
Old loan, at 9 per cent	1,962,000	
New loan, at 7 per cent	10,672,079	

The foreign debt has been reduced by the sum of 774,944 yen since the 10th year of Meiji.

Total of Domestic and Foreign Debt	375,250,356

RESERVES.

	Yen.
Reserve Fund	51,266,961
Contingencies of Local Governments	797,396
Invested Capital for Manufactures of Local Governments	3,113,752

In addition to the above 8,102,593 yen have been devoted government loans.

Wade

No 864.

United States Legation,
Japan,
Tokei, September 17, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

The Convention of July 25th, and the instructions of the Foreign Office of England to Sir Harry Parkes early in August last in relation to the Convention. Mr Bingham considers the Convention, so creditable to the US., is in danger of being prevented from going into effect by the action of England and other States under Articles I, II & X. He therefore suggests for Mr Evarts' consideration such reform of Articles I, II and X as will enable

Japan and the U.S. to give full effect to the Convention, without awaiting the action of England or any other Foreign Powers. Mr Bingham calls special attention to Mr Terashima's statement that Russia has agreed to revise the treaties with Japan on the basis originally proposed by Japan, and that such revision is likely to be effected on or before the 1st of January next.

No 864.

United States Legation,
Japan,
Tokei, September 17, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to Instruction No 368, with which you were pleased to transmit, for my confidential information, a copy of the Convention signed on the 25th of July last at Washington by His Excellency Mr Yoshida, the Japanese Minister, on behalf of His Imperial Japanese Majesty, and by you, on behalf of the United States

of

of America, I beg leave to say that should all the other Treaty Powers holding relations with Japan conclude a like Convention with this Government, and thereby permit the Convention so concluded by you with Mr Yoshida to "take effect," as provided in the tenth article of said Convention, the result would largely promote the interests of the people and Government of Japan, and would also largely extend the commerce between the two countries.

I regret to say that this Convention, creditable to you and so honorable to the United States of America, by the terms of the tenth article thereof is not to take effect until

Japan

Japan shall have concluded a
like Convention ~~~ ~~~
and revision of Existing treaties
with "all the other Treaty Powers
"holding relations with Japan",
thereby enabling England, or any
other of the Treaty Powers, to
say to the United States, "Your
"just agreement 'to recognize
"'the Exclusive power and right
"'of the Japanese Government
"'to adjust the customs tariff
"'and taxes and to establish ~
"'regulations appertaining to
"'foreign commerce in the open
"'ports of Japan', though honorable
"to you, as the first recognition by
"any Western State of the right
"of Japan to regulate her own

Foreign

"foreign and domestic commerce,
"is not satisfactory to us, and
"therefore we decline to conclude
"such a Convention with Japan, as
"it is not our purpose 'to extend
"'and consolidate commerce between
"'Japan and the United States'."
This provision of Article Ten was
suggested to Mr Yoshida by His
Majesty's Minister for Foreign Affairs,
as I understood from Mr Terashima's
conversation in his interview with
me on yesterday, wherein the
Minister said that the tenth
article was recommended by
him to Mr Yoshida, because of
some questions asked by Mr
Fish of Mr Yoshida in his
past efforts to negotiate with

Mr

Mr Fish for a revision of the tariff.
This statement and what follows
touching the interview of yesterday,
I beg you will consider confi-
dential. It was reported to me,
as rumor, on the 8th instant, two
days after the receipt by me
of Instruction 368 and its en-
closure, that in August last
Sir Harry Parkes had called
upon Mr Terashima and enquired
if a Convention had been signed
between the United States and
Japan. After several efforts to
see Mr Terashima between the 8th
and the 16th of September, I obtain-
ed an interview with him on
the day last named, in the
Foreign Office. I stated to Mr

Terashima

Terashima in this interview the rumor which I had heard as above given, and requested him, as it concerned my Government, to inform me whether the rumor was true, and what the English Minister said, if anything, on the subject of a Convention made by Japan with the United States. Mr Terashima thereupon said to me that in August last Sir Harry S. Parkes, Her Britannic Majesty's Minister, called upon him and stated that he had received a telegram from Lord Salisbury, British Principal Secretary of State for Foreign Affairs, acquainting him that the United States had signed a commercial Convention with Japan on the 25th of July last, and instructing

Sir

Sir Harry to ascertain its provisions. Mr Terashima also said that, in answer to Sir Harry's request made of him in August for the contents of the Convention, he told the English Minister that he had not received the Convention and could not inform him of its contents. Mr Terashima further told me that on the 9th of September, three days after the receipt by him of the Convention transmitted by the American mail, Sir Harry again called, and asked if he had not received the Convention by the mail, and if he could not have a copy or be possessed of its contents. To this Mr Terash-

ima

sina says that he replied that the Convention had been received by the last mail, but the Emperor was absent, and it would be first sent to him, and therefore at present no copy would be furnished to the English Minister.

Mr Terashima also said to me that Sir Harry then requested to be informed when the Convention would go into effect, to which Mr Terashima gave answer, when the other Treaty Powers would agree to allow Japan to regulate her commerce on condition of no discrimination against either of the Powers.

I thought it proper to ask if Mr Terashima had spoken of the

tenth

tenth article of the Convention to Sir Harry; to which he replied no, and stated what I have above reported, that instruction about such article had been given to Mr Yoshida because of Mr Fish's questions. It seems proper that I should say that I have heretofore understood that in 1872 — Mr Fish refused to revise the treaties with the Japanese Commission then in Washington, in conjunction with the other Treaty Powers, but Expressed himself ready and willing to negotiate separately and conclude a revision of the treaties with the Commission in Washington. What the Japanese Government has

since

since that time wished, as I have communicated to the Department, was to first revise, and conclude the revision of her treaties with the United States independently of all other Powers. You may have information that England and "all the other Treaty Powers" will conclude a Convention similar in effect to the Convention of the 25th of July last; but allow me to say that, in my opinion, England and several other States will reject this Convention, and I venture to say that it is not improbable that Lord Salisbury will attempt to conclude a secret Convention with Japan, following his recent method of obtaining

a

a secret treaty from Turkey while he was professing Co-operation with other European Powers to prevent the partition of Turkey without their joint consent. His instructions to Sir Harvey would seem to point that way; but, whether they signify any such purpose or not, it is clear that the fact that such Convention had been made was known to Lord Salisbury within a few days after it was signed. How the English Secretary for Foreign Affairs obtained his information is an interesting question, about which I know nothing, and of which this Government can give me

no

no information. It was well known to England that Japan had sought a revision of existing treaties as to the tariff by the separate and independent action of each of the Western States; why therefore should she attempt to intervene between the United States and Japan in this secret way?

Mr Terashima also informed me in our conversation of yesterday, that Russia has agreed with the Japanese Envoy to that Court to revise the treaties between the two countries on the basis of the terms originally proposed by Japan, to open new ports, in consideration that Japan be

permitted

permitted by Russia to control by imposts and needful regulations her commerce with that country; the Minister also adding that the Japanese Envoy (Mr Enomoto) had recently telegraphed him, and was now on his way home, and that the revision is to be concluded upon his arrival here and upon the return to Japan of Mr de Struve, the Russian Envoy at this Court, who is now in St Petersburg on leave and is expected here before the 1st of January next.

In view of all that is herein communicated and to the end that the United States

may

may by its own act complete, and be the first to carry into effect what it has so wisely and justly inaugurated, in the interests of both countries, I beg leave most respectfully to suggest for your consideration, whether it would not be well to so modify the Convention of July 25th last, that it shall take effect immediately upon the Exchange of ratifications; that is to say, strike out the first clause of the tenth article; also strike out the limitation of the condition of Article Ten in Article One, and also to reform Article Two that it shall read, "It is, however,

further

"further agreed that no other
"or higher duties shall be imposed
"on the importation into Japan
"of all articles of merchandise
"from the United States than
"are or may be imposed upon
"like articles of any other foreign
"country which may conclude
"with Japan and put into —
"operation a Convention similar
"in effect to the present Convention,"
leaving the residue of Article
Two as it is; and, finally, —
provide in lieu of the first
clause of Article Ten, that —
"The present Convention shall
"take effect upon the ratifi-
"cation thereof; and the ratifi-
"cations thereof shall be

exchanged

"exchanged at Washington as
"soon as may be" &c &c.
It may be suggested that if this
Convention were so reformed,
ratified and exchanged, in
the absence of a like Convention
with "all the other Treaty Powers holding
"relations with Japan", discrim-
inations might be made by
Japan against importations
from the United States to this
Country; to which I beg leave
to say that in such case, as
Article One is non-reciprocal,
the United States could retali-
ate upon Japan, even to the
Exclusion of about one third
of all her Exports of domestic
productions. Japan is not

likely

likely to do any such act, so destructive of her interests and so basely ungrateful to the Power that first accords justice to her.

Should what is herein suggested, and most respectfully submitted for your consideration, meet your approval and be acted upon by you, and should the Convention so reformed be submitted to and ratified by the Senate early in December, the United States by such action will hold a more potent influence over both China and Japan than any other Western Power; and will surely in the no distant future enlarge her

Commerce

commerce with the two great Powers of the East, and which commerce will continue to increase with the emancipation of Japan and China from the restrictions heretofore imposed and still insisted upon by European States.

In this connection I desire to say that it is but just to our country and to its then Secretary of State, Mr Seward, who signally honored his great office, to place it upon record that our Government in the convention of 1866 was led to believe that the land restrictions imposed by that convention upon Japan, were voluntarily suggested

and

and accepted by this Government, when in fact they were imposed by the artifice of European diplomacy — and the display in these waters of a European force sufficient to compel acquiescence in what was demanded, when at Osaka, in 1865, the Foreign Representatives obtained from the Japanese Government a "written engagement "to proceed immediately to the "revision of the tariff in question "on the general basis of a duty "of five per cent on the value of "all articles imported or Exported". This wrong you have been the first, speaking for the United States Government, to say shall no longer continue. I trust that

it

it may be that what you have so considerately determined ought to be done will be done by the United States Government, whether all or any of the other Treaty Powers presently consent to it or not. That each and all of the other Powers would ultimately accept the Convention, if the Government of the United States should reform it as indicated above, and, with the concurrence of Japan, put it into effect, without asking the consent thereto of any other Power, I have no doubt whatever. The Government of the United States should have the honor of first putting

into

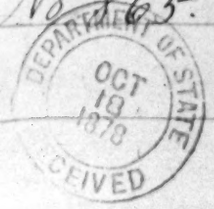
into effect this act of justice, inasmuch as the Government of the United States was the first to agree that it should be done and to give assent to it.

I have the honor to be,
Sir,
Your obedient servant,
Wm. A. Bingham

Act
C.P

Inclosure
1

No. 65.



United States Legation,

Japan,

Tokei, September 17, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Resignation of Mr H. W. Denison, Vice Consul General at Kanagawa.

No 865.

United States Legation,
Japan,
Tokei, September 17, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to acquaint you that I am in receipt of a note from Henry W. Denison Esq. of date the 14th instant, in which he states that he has tendered his resignation of the office of United States Vice Consul General and Interpreter at Kanagawa, Japan.

By his resignation our

Government

Government loses the services of a most trustworthy and efficient Consular officer.

I have the honor to be,

Sir,

Your obedient Servant,

Jno. A. Bingham

Ack. Oct. 31, 1878
ada

Ack + send to Consular Bureau
C. P

No 866.

Mr Adee + Curtwood

United States Legation,

Japan,

Tokei, September 19, 1878.

DEPARTMENT OF STATE
OCT
18
1878
RECEIVED

Mr Bingham

to the

Hon. Secretary of State.

Subject.

The Japanese Government objects to the appointment of Captain Thomas Blakiston as U.S. Consular Agent at Hakodate, objecting to hold official relations with him.

Enclosure.

Mr Terashima to Mr Bingham

Sept. 18, 1878.

No 866.

United States Legation,
Japan,
Tokei, September 19, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to my No 851 of date the 11th instant in relation to the recommendation made by Consul General Van Buren for the appointment of Captain Thomas Blakiston, a subject of Great Britain, to the office of United States Consular Agent at Hakodate, I beg leave further to acquaint you that on yesterday I received from His Excellency Mr Terashima, the Japanese

Minister

Minister for Foreign Affairs, a communi-
cation, in reply to my note of the
5th instant, in which I requested
of His Excellency, under the 49th
Consular regulation, "the consent"
of His Imperial Majesty's Govern-
ment to the appointment by me
of Mr Blakiston "to perform temporarily
"the duties of United States Consular
"Agent at Hakodate". You will ob-
serve that Mr Terashima in his
communication (a copy of which
is herewith) says, in reply to my
request, that "an English subject
"of the same name (Thomas Blak-
"iston) has resided at Hakodate
"for a long time", and enquires
if the person named by me is
not the same, adding "should

this

"this be the case, I (Mr Terashima)
"am sorry to state to Your Excellency
"that my (his) Government is unable
"to recognize him (Mr Blakiston)
"as it is undesirable to hold
"official relations with the said
"Blakiston by reason of his, the
"said Blakiston's, former conduct,
"which has been of a highly ob-
"jectionable character." I have, upon
enquiry, satisfied myself that
there is but one Thomas Blakiston,
an English subject, resident at
Hakodate, and, therefore, the
person recommended to me by
the Consul General is the
same person referred to by
His Excellency Mr Terashima,
of whom His Excellency says

(me)

"my (his) Government is unable
"to recognize him", and that
"it is undesirable to hold official
"relations with said Blakiston".
I have accordingly verbally in=
formed Mr Terashima that I
withdraw my request as made
on the 5th instant, and that I
do not wish to appoint Mr
Blakiston now that I am
informed of His Excellency's ob=
jection to his recognition by
His Majesty's Government.
As Mr Van Buren has advised
me that on the 30th ultimo he
nominated this Mr Blakiston
to the Department for the
position of Consul at Hakodate,
I respectfully submit that the

objection

objection of this Government to the recognition of Mr Blakiston as a Consular Officer of the United States in Japan should preclude his appointment.

I have the honor to be,
Sir,
Your obedient Servant,
Wm. A. Bringham

No 866.

Enclosure.

Copy of Translation.

No 33 Foreign Office. Tokio,

The 18th of the 9th month

The 11th year Meiji.

H.E. John A. Bingham

E.E. and M.P. of the U.S.A.

Sir:

I have the honor to acknowledge the receipt of Your Excellency's despatch of the 5th instant, requesting the recognition by my Government of the appointment of Mr. Thomas Blakiston, resident at Hakodate, to perform temporarily the duties of the Consular Agency of your country at said port. In reply I beg leave

to say that an English subject of the same name has resided at Hakodate for a long time, and to enquire whether the person named by Y.E. is not the said English subject referred to. Should this be the case, I am sorry to state to Y.E. that my Government is unable to recognize him, as it is undesirable to hold official relations with the said Blakiston by reason of his, the said Blakiston's, former conduct which has been of a highly objectionable character.

I avail myself of this occasion to renew Y.E. the assurance of my highest consideration.

(Sgd) Terashima Munenori

H.E. J. McC. Minister for Foreign Affairs

Judge O'Connor

Aid as per report of Judge O'Connor Nov. 21, 1878 copy

No 867. Asiatic

United States Legation,
Japan.
Yokei, September 19, 1878.

Van Buren writes Nov. 22, '78

Mr Bingham
to the
Hon. Secretary of State.

Subject.

Thos Lumpe, seaman on the "Justine N. "Ingersoll" Kills the first mate of the vessel on the high sea. Having been brought into the US Consular General Court on the arrival of the vessel at Yokohama, his case is submitted to Mr Bingham by Mr Van Buren for advice thereon, the latter having, however, previously held certain

Extra-judicial proceedings in his Court wherein the accused and his witnesses were allowed to testify in his justification and their testimony was published. Mr Bingham tells Mr Van Buren that his proper course is to send to America, to be tried in the U.S. District Court, the accused, with witnesses, record of the ship's log and an officer who can authenticate it. Two of the prisoner's witnesses are tried by Mr Van Buren for an assault upon the second mate while in port.

Enclosures.

1. Extract from the Japan Daily Herald, Sept. 13/78
2. " " " " " " " 16 "
3. Mr Bingham to Mr Van Buren " 18 "
4. Extract from the Japan Daily Herald " 17 "
5. " " " " " " " 18 "

No 867.

United States Legation,
Japan,
Tokei, September 19, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I received on the 8th instant an unofficial note of that date from Thomas B. Van Buren Esq. United States Consul General at Kanagawa, in which he states that he has requested Mr Denison to consult me "as to what I "(the Consul General) should do "with the matter of the charge "against Thomas Lamp, of the ship

Justice

"Justine H. Ingersoll", for killing the
first mate of that vessel on
" the high seas"; and also what
he, the Consul General, should do
"in the charge against Sonnenberg
"and Luttick, sailors of the same
"vessel, for a serious assault upon
" the second mate of the vessel in
" this (Yokohama) harbor." The
Consul General also states that
the two sailors last named, held
for an assault committed by
them upon the second mate in
the port of Yokohama, are
witnesses as to the killing of
the first mate by Lump, and
therefore he wishes to know whether
they should not also be sent to
the United States with Lump,

there

there to testify in the United States Court as to the charge of murder on the high seas preferred against Lump. After learning from Mr Denison that the extra-judicial proceedings of the Consul General in the case against Lump for murder committed on the high seas are correctly reported in the Japan Daily Herald of the 13th and 16th instant, copies of which are herewith, it seemed to me, as by section 4084 of Revised Statutes the Consul General's jurisdiction to arraign and try citizens or seamen of the United States for crimes is restricted to offences com-

1+2/867

mitted

mitted by them in Japan, and as by Section 730 all offences committed on board of American vessels upon the high seas are to be tried in the United States Courts and in the United States District in which the offender is found or into which he is first brought, that it was the duty of the Consul General to see that the prisoner Lump and the witnesses of the crime charged against him should be sent as soon as may be to the United States, together with the record of the vessel's log and the officers who made it. I accordingly replied to Mr Van Buren to that effect, a copy of which reply

3/1867

I

I have the honor to enclose. In this opinion I but followed the opinion given by me in 1875 the Consul General (No 196) in the case of the "William Van Name", which opinion the Department approved in Instruction 183 by saying that it was "in strict "accordance with law, precedent "and the invariable ruling of "the Department". (Foreign Relations 1876 pages 344-349.)

I enclose the report from the Japan Daily Herald of the 17th and 18th instant of the proceedings had against Sonnenberg and Luttick for their assault in the port of Yokohama upon the second mate of the same

vessel

vessel.

I stated to Mr Denison verbally, as he was in haste to return to Yokohama, that he might say to the Consul General that it was my opinion that he should hold and detain Lump for transportation to America, as the Consul General leaves me to infer that the vessel "Justin H. Ingersoll" will not carry the prisoner back to the United States; and that the Consul General should also, if he found Sonnenberg and Luttick guilty of the assault charged, sentence them to imprisonment and hold them until the 26th of October next, when, Mr Denison

Dated,

stated, the prisoner would be sent over to San Francisco, and when said two persons and all the other witnesses should, in my opinion, be sent at the same time to the United States.

The published record in the case against Lemp for killing upon the high seas on board the "Ingersoll" the first mate of that vessel, painfully impresses me that the trial of the case upon the accused's plea of justification (which issue, in my opinion, the Consul General had no judicial authority to try) discloses the fact that the Consular Court has simply been made the medium of publishing to the world the

testimony

testimony given by the accused in person and also the testimony of two at least of the crew — (Sonnenberg and Luttick) seemingly his confederates in quiet as their subsequent criminal conduct shows) to defame the first mate, Gaston, and make apology for his murder by Lump. It is to be noted that Lump in his testimony says nothing of a sling shot, but avers it in his plea while Sonnenberg and Luttick swear the first mate used a sling shot, while the master found no sling shot anywhere and also testifies that the first mate (Gaston) was a peaceable man, that there was no arm in his hand, and that his jugular was severed. Edwards, the chief officer, says

says nothing of knife cuts in the face of Lemp, though he manifestly examined the head of Lemp immediately after the killing of the first mate, while the accused's witness, Antonio, says the first mate cut the accused in the face with a pocket knife. It does not appear that the first mate's pocket knife was found open, and it may have fallen or been taken from his pocket when he fell or after he was killed. Add to this the fact, as appears on the trial of Luttick and Sonnenberg for assaulting the second mate of the "Inger-"toll" when in port, that when ordered by the second mate to haul out the awning, Sonnenberg

replied

replied he would "do as he liked," struck the second mate with his fist and seized a stanchion, which Edwards wrenched from him, when Luttick joined Sonnenberg and both attacked the officer, Sonnenberg having a knife in his hand of which the chief officer deprived him, but both of these witnesses for Lemp, who attempt to justify the murder of the first mate, Galton, struck the second mate on the occasion of this second refusal to obey orders.

It seems to me that in all cases of crimes committed on board of American vessels, when upon the high seas, the

Consuls

Consuls in Japan have no further authority than to take such action upon Ex-parte affidavit, made by the master or other officer of the vessel, as the fact of the commission of the crime upon the high seas, as will secure the return of the accused to the United States to answer for his crime, and also to secure the return to the United States, at the same time, of the witnesses to the fact, and also of the record of the log book of the vessel, and also of the officer thereof who can authenticate the record.

I trust my action in the premises may meet your approval.

I have the honor to be,

Sir,

Sir,

Your obedient Servant,

Jno A. Bingham

No 867.

Enclosure 1.

Extract from the Japan Daily Herald, September 13, 1878.

In the U. S. Consular-General's Court.

Before General Thos. B. Van Buren, Consul General.

Friday, September 13, 1878.

Thomas Lump, a sailor from the *Justice H. Ingersoll*, was charged with stabbing and killing the chief officer of the ship on the high seas, near the island of Engano, on the 6th July last.

The prisoner pleaded guilty, but in self-defence, said the mate had struck him with a slung shot three times, and knocked him down.

Prisoner said: When the mate had knocked me down, I became unconscious. When I regained my senses, I jumped up and stabbed him with my knife. I had no intention to kill the mate; I did not even know where I struck him. We were on the main tack; the mate called out: "come here, you!" and as he rebuked me for not coming, I answered that he had not called my name. He then struck me on the neck, and I fell down on a spar; when I got up, I said: "don't you strike me!" I then went to haul the main sheet aft and he sung out: "haul!" I told him I did haul, but he struck me repeatedly on the head. I reached behind for my knife, but he had cut his pocket knife with which the cut me over the face and hands. He then struck me with his fists, so that I fell over the hatchway on my side. I then stabbed him with my knife. I am by birth a Russian Finn, and have nothing further to say.

Peter Antonio, a Portuguese, sworn: I am seaman on board the *Ingersoll*. I knew the prisoner, and saw the occurrence on the 6th July last. In the morning of that day, shortly after 4 o'clock, the mate sung out to haul aft the main sheet and relieve the wheel. All of us were pulling at the main sheet, when the mate sung out to prisoner, "pull!" and prisoner replied: "I am pulling!" The mate repeated his [illegible] the prisoner his reply, when the mate [illegible] slung-shot on his hand, raised his hand, and saying: "I shall give it to you, you —," struck the prisoner repeatedly. The prisoner called out: "stop! stop!" and fell down.

When the prisoner got up, he drew his sheath knife, and struck the mate. It was a dark morning. They then continued their fight along the water casks; the mate had a pocket knife, with which he struck prisoner. That knife was found on the poop, in the morning, and I have seen the cuts on the prisoner's face and hands. The mate then left and fell against the cabin door; the prisoner was knocked down among the water casks. The mate died the same morning. The prisoner then came forward, and said what he had done. About three days before our arrival in Yokohama, he was put in irons.

Charles Lang, also seaman in the *Ingersoll*, sworn: On the 6th July last, while on the high seas, I had the wheel from 2 to 4 in the morning. I left the wheel by the mate's orders about 15 minutes past 4. The mate was ordering the men to pull at the main sheet, and all the time he had a slung shot in his hand. He ordered the prisoner to pull, and prisoner replied that he was pulling. This was repeated twice; the mate then raised his hands, and with the words; "take that, you—," he struck him thrice with the slung-shot. The prisoner fell, but rising on one knee, he whipped out his sheath knife and struck the mate. What then the mate did, I could not properly see on account of the darkness. I saw the prisoner again fall down close to the water casks, and heard the mate sing out: "get up you—!" Shortly after the mate staggered up to the cabin door, and fell against it. The prisoner came forward. I am myself a German.

George C. Dow, jr., master of the *Justine H. Ingersoll*, sworn: I made an affidavit in this Consulate. I was not on deck at the time of the occurrence; all I know is from hearsay. The ship was on the high sea in lat 6° 30 S. and long 103° 30, E. I was below marking my track on the chart, when I heard some loud talking and noise on the poop. I went on deck; I saw the mate leaning against the cabin door; he uttered the words: "knife!—put the man in irons!" Then he fell down. I sent for water, had his face and breast bathed, and found that he was cut in the neck. I had him conveyed into his cabin, where he died in about 15 minutes. The cut was on the left side of the neck, and from the quantity of blood lost I conclude that the jugular vein had been severed. There was no arm in the mate's hands. I have not discovered anything like a slung shot on deck or anywhere else afterwards. I believe a pocketknife was picked up. When I afterwards spoke with prisoner, he told me about the same as what he has just said in court. His character on board was good, as far as I know he always behaved well. The mate was a peaceable man. He was buried at noon the same day. He was a Swede by birth, but a naturalized citizen of the United States.

The depositions given were read to the prisoner and the witnesses; on being requested to sign, the Russian and Portuguese were found unable to do so.

The further hearing was adjourned until Monday next, at 2 p.m.

No 867.

Enclosure 2.

Extract from the Japan Daily Herald, Sept. 16, 1878.

In the U. S. Consular-General Court.

Before General Thos. B. Van Buren, Consul General.

Monday, September 16, 1878.

The adjourned enquiry into the circumstances of the homicide of the first mate Gaston on board the American barque *Justine H. Ingersoll*, while she was on the high sea, was resumed.

The prisoner was in court.

John Edwards, chief officer of the *Ingersoll*, and Amer Sonnenburg, able seaman in the same ship, gave evidence which corroborated the evidence already taken on the 13th inst. The chief officer stated that the prisoner immediately after the occurrence on the 6th July bore marks on his head of blows, which could scarcely have been inflicted with a fist. He recognised a pocket knife in court as belonging to the late first mate. It had been picked up on deck together with the broken blade of a sheath knife. He said the first mate was a strict officer.

The preliminary enquiry was then closed, and the prisoner will be sent to the United States for trial.

No 867.

Enclosure 3.

Copy.

No 628. U.S. Legation,
Tokei, Sept. 18, 1878.

Thomas B. Van Buren Esq
U.S. Consul General,
Kanagawa,

Sir:

In reply to your unofficial note of this date in relation to what you should do in the matter of the charge against Thomas Lumpi, an American seaman upon the barque "Justine H. Ingersoll," who stands charged before you, upon the affidavit

affidavit of George B. Dow Jr,
the master of said vessel, with
having killed the first mate
of said vessel on board thereof
and upon the high seas, I have
to say that, in my opinion, it
is your duty to see that the
accused shall be taken, as soon
as maybe, to the United States,
attended by such of the officers
and crew of said vessel as have
knowledge of the fact charged,
conveying with them the log-
book of the vessel containing
a record of the fact and what
was done concerning it.
Of course the officer or person
who signed the log book and
can authenticate it ought also

to

to go to the United States.
I have further to say, as you
desire my opinion of the whole
matter, that the extra-judicial
Examination made by you ought
not to be put in the hands of any
body by you unless it be the
District Attorney of the United
States of the District into which
the accused is taken.

I am, Sir,

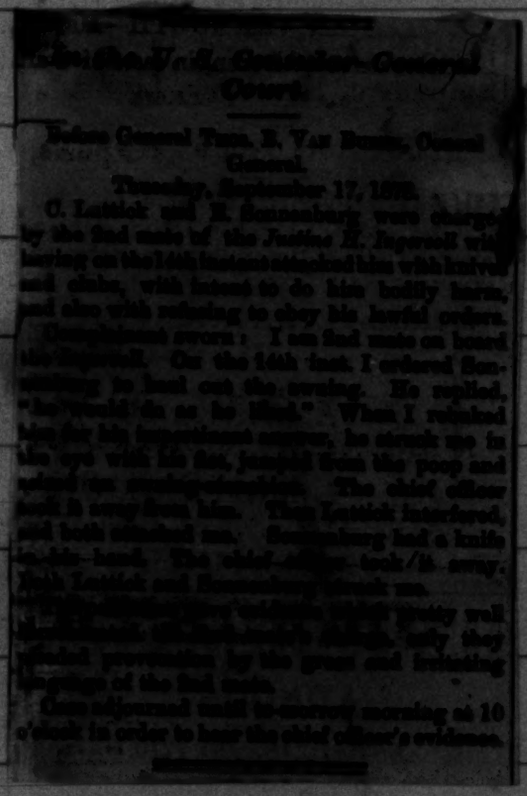
Your obedient servant,

(Sgd.) Jno. A. Bingham

No 867.

Enclosure 4.

Extract from the Japan Daily Herald, September 17, 1878.



Police General Town. E. Van Buren, General General.

Tuesday, September 17, 1878.

C. Lattick and H. Sonnenberg were charged by the 2nd mate of the Justice H. Ingersoll with having on the 14th instant attacked him with knives and clubs, with intent to do him bodily harm, and also with refusing to obey his lawful orders.

Complainant sworn: I am 2nd mate on board the Ingersoll. On the 14th inst. I ordered Sonnenberg to haul out the awning. He replied, "he would do as he liked." When I rebuked him for his impertinent answer, he struck me in the eye with his fist, jumped from the poop and seized me round the waist. The chief officer took it away from him. Then Lattick interfered, and both attacked me. Sonnenberg had a knife in his hand. The chief officer took it away. Both Lattick and Sonnenberg struck me.

[illegible] pretty well [illegible] only they [illegible] provocation by the great and irritating language of the 2nd mate.

Case adjourned until to-morrow morning at 10 o'clock in order to hear the chief officer's evidence.

No 867.

Enclosure 5.

Extract from the Japan Daily Herald, September 18, 1878.

In the U. S. Consular-General Court.

Before General Thos. B. Van Buren, Consul General.

Wednesday, September 18, 1878.

Charles Luttick and Emil Sonnenberg, sailors on board the American ship *Justice H. Ingersoll*, were charged on remand with assaulting the second officer of the ship with clubs and knives on the 14th inst., and also with refusing to obey orders.

John Edwards, chief officer, was sworn, and deposed to having seen Sonnenburg fight with the second mate. Witness took an awning-stanchion out of Sonnenburg's hands, and afterwards he saw both prisoners striking at the second mate. Since the late chief officer was killed, the men have always been slow to their work, and have returned saucy answers whenever spoken to by their officers.

His Honor said that the charge was sufficiently proven. The prisoners seemed to think that they had free play with their officers, since one of their number had killed an officer. He should give judgment on Friday next, the 20th inst.

Judge O'Connor

Unit as per instruction of Judge O'Connor Nov. 22 Mr Folk.

No 868. Unit

Inclosure

United States Legation,

Japan,

Tokei, September 19, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Enclosing an extract from a California paper showing the dismissal by the Circuit Court of the appeal from the Kanagawa Consular Court by the Japanese Government in the case of the P. M. S. S. "New York," chartered by that Government to take part in the Formosa Expedition.

Mr Bingham repeats the opinion

that the action was only brought to test the Constitutionality of the Act of 1860, and was in violation alike of the rights of the Japanese and United States Governments.

Enclosure.

Extract from a San Francisco paper.

No 868.

United States Legation,
Japan,
Tokei, September 19, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

In my No 98 of date July 16, 1874, I acquainted your honorable predecessor that the Government of Japan had instituted a civil action in the United States Consular Court at Yokohama against the Pacific Mail Steamship Company to recover Ten thousand two hundred and fifty dollars ($10,250^{00}) for an alleged breach of the charter to the Japanese Government by the said

Company

Company of its American mail steamer "New York" to carry soldiers and munitions of war to Formosa, the territory of China; which vessel had, upon my protest to this Government and upon my request, been discharged by the Japanese Government at Nagasaki and ordered not to proceed to Formosa. I made my protest and request in the premises for the reason that the service in which the "New York" was engaged was a violation of our treaty obligations to China and of the express statute law of the United States; and which action on my part, as the record shows, was approved by the

Department

Department and also by the Governments of China and Japan. You will notice by the enclosed paragraph procured by the Secretary of this Legation from a recent San Francisco paper (the date of which I am unable to give) that this action, having been transferred by this Government on appeal from the judgment of the Consular Court (denying the claim) to the United States Circuit Court in California, has, on motion of the plaintiff, been dismissed. I trust that has been done, as the action never should been brought, and was, as I stated in my No 98, brought (without consent of the

Foreign

Foreign Office) for the purpose of impeaching the action of the Japanese Government in the premises, and for the further purpose of pronouncing, through the Consular Court and failing in that Court, through the Circuit Court, a decision that the 24th section of the Act of 1860 (United States at Large Vol. 12 page 72) "was unconstitutional, in "accordance with the ad captan- "dum declaration of General "C. W. LeGendre, the reputed "hero of this marvelous perform- "ance", who had instructed me, as I had reported to the De- partment, that the act was unconstitutional. (See No 60 of Mr Fish's instructions to me

Foreign

Foreign Relations 1874, pages 692-3.)
It is to be hoped that this adven-
turer, who has so long troubled, and,
in my opinion, wronged both
China and Japan, now that he
bears no commission under the
Government of either, and is no
longer an official of the United
States, will not again be in
position, by any act of our
Government, to push his wild
schemes of conquest against an
unoffending State under our
flag and in violation of our
laws and treaty obligations.

I have the honor to be,

Sir,

Your obedient servant,

Mc A. Bingham

No 868.

Enclosure.

Extract from a San Francisco (California) paper.

Legation of the U.S.
Tokei, Japan,
September 29, 1878.

Form 3.

No. 1 Ny

CABLE MESSAGE. W Rder

THE WESTERN UNION TELEGRAPH COMPANY.

All CABLE MESSAGES received for transmission must be written on the Message Blanks provided by this Company for that purpose, under and subject to the conditions printed thereon, and on the back hereof, which conditions have been agreed to by the sender of the following Message.

A. B. SHAW, Secretary. WILLIAM ORTON, President.

To Secretary State | Received at Washington D C
8 am Sept 29 1878

Washington

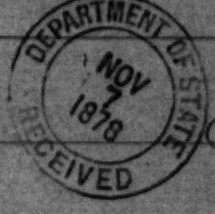
Daughter dead Leave of absence to U.S. [illegible] answer

Bingham

1H Tokio
fm

Sent office at

Mr Adee
Col. Morgan



U. S. Legation,
Yokei, Japan, Oct. 2d 1878

Hon William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor herewith to forward to you my account for salary, with vouchers, for the quarter ending Sep. 30th 1878.

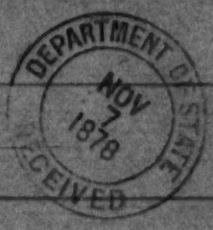
I have the honor to be
Sir,
Your obedient servant
David Thompson.

Auditor

File

Inclosure

No. 869.



U. S. Legation

Tokei, Japan, 4th Oct. 1878.

Mr. Bingham to the Secretary of State.

Subject.

Acknowledges receipt of telegram in reply to one requesting leave of absence to visit the United States

No. 869

U. S. Legation,
Tokei, Japan 4th Oct. 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D. C.

Sir:

I have the honor to acquaint you that in reply to my telegram addressed to you on the 29th ultimo requesting leave of absence to visit the United States I received on the 2d instant the following telegram:

Washington 30th Sep. 1878, 5:45 P. M.
Bingham, Yedo.

Leave granted.

Signed Evarts.

Availing myself of the leave of absence so promptly and so kindly granted to me I expect to set out for the United States on the 25th inst. for the American Steamer Tokio, leaving Mr. Stevens the Secretary of Legation in charge.

Sincerely thanking you for the favor which you have been pleased to accord to me,

I have the honor to be,

Sir,

Your obedient servant,

Jas A. Bingham

Mr Adee
Ch. Morgan

DEPARTMENT OF STATE
NOV 7 1878
RECEIVED

No. 870.

U. S. Legation

Tokei, Japan 5th Oct. 1878.

Mr. Bingham to the Secretary of State.

Subject

Statement of account for salary & contingencies for the quarter ending September 30th 1878.

Enclosures.

1. Voucher No. 1. Stationery.
2. " " 2. Post Office account.

3. Voucher No. 3. Expenses of Mr Stevens in visit to wounded Americans.

4. Voucher No. 4. Mail transportation.

5. " " 5. Subscription to Herald.

6. " " 6. Binding of Record-books.

7. Exchange voucher for salary.

9. Exchange voucher for contingencies.

10. Abstract of Contingent Expenses.

11. Statement of the Account of Mr. Bingham for salary.

No. 870

U. S. Legation,

Tokei, Japan, 5th Oct 1878.

Hon. William M. Evarts,

Secretary of State

Washington D. C.

Sir:

Herewith I have the honor to enclose my account with the United States for salary and contingencies for the quarter ending the 30th ultimo together with the abstract for the contingent expenses and also the vouchers of said account.

You will please note that I have drawn for

said quarter on account of salary my bill on Morton Rose and Co - London for Six hundred and sixteen pounds nine shillings and two pence which at $4.86.65 equals $3000 and that as it appears by the enclosed vouchers of Mr. Russell, I sold the same to the Oriental Bank Corporation at Yokohama and received therefor the equivalent of $3000 U. S. gold and no more, and that on account of contingencies I drew upon Morton Rose and Co. for sixteen pounds four shillings, nine and a half pence equal to $79.03/100 at $4.86.65 and received therefor $79.03/100

U. S. gold and no more. The enclosed account shows a credit to the United States on account of contingencies for the preceding quarter of $24.58. and that I have consequently drawn for the amount of my vouchers enclosed $103.66 less $24.58 to wit: for the sum of $79.08 only, thus balancing my account with the government to this date.

A duplicate of the said account & abstract for contingent expenses and of the vouchers hereunto will be forwarded by the next outgoing mail to the Department.

I have the honor to be, Sir,

Your obedient servant

Thos. A. Swinyard

Ack. Publish in C. R. with selections from printed tables C. P.

1871.

Mr. Adee

U. S. Legation,
Tokio, Japan. 5th Oct. 1870.

Mr. Bingham to the Secretary of State.

Subject

Encloses the "Return of the Foreign commerce &c. of Japan for the year ended June 30, 1870

Inclosure in Bureau of States

No. 871.

U. S. Legation

Tokei, Japan 5th Oct 1878.

Hon William M. Evarts,

Secretary of State

Washington D. C.

Sir:

I have the honor to enclose for your information the "Return of the Foreign commerce & trade of the Empire of Japan for the year ended June 30, 1878.

You will notice that by the comparative table of imports and exports for the fiscal year (page 35), the total value of imports for the year of goods was $32.153,088.00. and that the export of domestic productions

was of the value of $26.016.781.00
showing balance for the year against
Japan in round numbers of $6.
137,010.00 and that of the value of coin
and bullion imported —— the excess
of the export thereof was $6,000,000.00.
in round numbers showing balance
against Japan for the sum of $12,137,010.00.

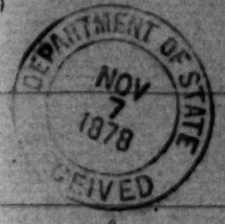
You will also note that Great Britain
imported goods to amount of $19.643.000.00
that the United States imported goods to the
value of $2.204.378.00. There is also on p.p
38-40 a return of the import & export trade of Corea
with Japan by which it appears that the import
to Corea from Japan for the year amounted in value
to $228,540.00 & the exports to the value of $154,702.00.

I have the honor to be, Sir,

Your obedient Servant.

Mr. A. Sinykam

"Unofficial" Inclosure



U. S. Legation

Tokei, Japan 7th Oct. 1878

Mr. Bingham to the Secretary of State

Subject.

Delivery of books forwarded to Rev. D. C. Greene, Yokohama.

Unofficial

U. S. Legation

Tokei, Japan, 7th Oct. 1878.

Hon. William M. Evarts,

Secretary of State.

Washington D. C.

Sir:

Referring to your communication of date 25th of May requesting me to cause to be delivered to the Rev. Daniel Crosby Greene a package containing a "Compendium of the 9th Census of the U. S." and a volume of the "Foreign Relations of the U. S. 1877" I have the honor to acquaint you that owing to Mr. Greenes absence

in the country I was not able to deliver the volumes until the 5th inst. on which day he received them and made acknowledgment thereof by letter to me a copy of which is herewith.

"Unofficial."

I have the honor to be,

Sir,

Your obedient servant

Wm A. Brigham

Enclosure with "Unofficial" Oct. 7. 1878

Copy.

Hon. John A. Bingham,
U. S. Minister &c. &c.
Tokio.

Dear Sir:

I have the honor to acknowledge the receipt of your favor of the 3d inst. and the accompanying volumes viz: one copy of the "Compendium of the 9th Census of the U. S." and one copy of the "Foreign Relations of the U. S. for 1877" which at Mr. Evarts request you so kindly forwarded.

Please accept my thanks for your kindness and believe me. Yours very respectfully,

Signed, D. C. Greene

223 Bluff, Yokohama.

October 5, 1878.

To Treasury Nov. 12. m. Pek.

Ack. Inform Treasury Dept C. P.

No. 872. Duplicate

U. S. Legation
Yokei, Japan 7th Oct. 1878.

Mr. Bingham to the Secretary of State.

Subject

Shipwreck of the merchant vessel "Lookout" near Kagoshima.

Enclosure.

1. Mr. Bingham to Mr Terashima 7th Oct 1878.

No. 872.

U. S. Legation,
Tokei, Japan, 7th Oct. 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D. C.

Sir:

I am this day in receipt of a communication from His Excellency Mr. Terashima His Imperial Japanese Majesty's Minister for Foreign Affairs enclosing a telegram from the Governor of Kagoshima Ken just received by His Excellency in which it is stated that on the 12th ultimo the U. S. merchant vessel "Lookout" Captain John Wiggen was

wrecked off the island of Kuchi-
yerabu, that three of the crew
perished and that the residue
of the crew eighteen in number
had on the 4th instant arrived
at Kagoshima and were for-
warded immediately to Kobe
by the Japanese steamer "Kiushiu
Maru". I have addressed to
Mr. Terashima a note of this
date (a copy of which is enclosed)
in which I tender the thanks of our
Government for this additional act of
kindness on the part of His Imperial Majesty's
officials towards seamen of the U. S. wrecked
within the waters of His Majesty's Empire.

I have the honor to be, Sir,

Your obedient servant,

Jno A. Kingsbury

Enclosure with No. 872.

Copy.

850.

U. S. Legation,

Tokei, Japan, 7th Oct. 1878.

His Excellency

Terashima Munenori.

H. I. J. M's Minister for

Foreign Affairs.

Sir:

I have the honor to acknowledge Your Excellency's note of this date enclosing a translation of a telegram just received which acquaints me of the fact that the U. S. merchant vessel "Lookout" Captain John Wiggen was wrecked on the 12th ultimo

near the island of Kuchiyerabu within the jurisdiction of Kagoshima Ken and that of the survivors of the crew eighteen in number have arrived safely at Kagoshima and that they will be at once sent forward to Kobe by the Meitsu Bishi Japanese Steamer "Hiunshin Maru".

For this additional act of kindness by His Imperial Japanese Majesty's officials towards seamen of the U. S. wrecked within the waters of His Imperial Majesty's Empire I beg leave to tender the thanks of the government of the United States.

I pray Your Excellency accept the renewed assurance of my

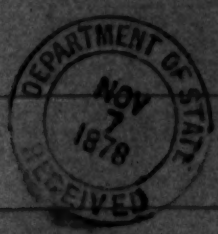
high consideration.

Signed Jno. W. Bingham.

Addl, sent of approval Jan 10. 1879. Mr Bell.

Approve Min's course
L.C.

No. 873.



U. S. Legation
Tokei, Japan, 7th Oct. 1878.

FOREIGN AFFAIRS 78

Mr. Bingham to the Secretary of State.

Subject

Case of Mr. Frank Gasper for violation of Japanese Railway Regulations, within the jurisdiction of the Hiogo Consulate.

Enclosures

1. Mr. Terashima to Mr Bingham July 30th 1878.
2. Mr. Bingham to Mr. Terashima, Aug 19, 1878.
3. Mr Bingham to Mr Benson Aug. 10, 1878.
4. " " " Oct 3rd 1878.

No. 873.

U. S. Legation

Tokei, Japan, 7th Oct. 1878.

Hon. William M. Evarts,

Secretary of State,

Washington D. C.

Sir:

On the 31st of July last His Excellency Mr. Terashima the Japanese Minister for Foreign Affairs addressed a communication to me (a copy of which is herewith) wherein he informed me of a violation of His Imperial Majesty's Railway Regulations on the 24th of March last by Mr. Frank Gasper a citizen of the U. S. that said offense or trespass was

committed within the Hiogo (Kobe) Consulate, and that the offender forcibly and unlawfully entered the Railway close of this government on that day and without having obtained a ticket escaped through a window into the Railway car when the train was moving, and remained therein until the train reached Kioto a distance of sixty miles without having paid fare as required by the law of the Empire. His Excellency also stated in his communication that complaint was duly made to Mr. Benson in charge of the Kobe Consulate by the Agent of the government Mr. Page and that Mr. Benson in reply forwarded

a letter of apology from Gasper and added therein that "as the act complained of was not of an aggravated character x x x x he could see no good reason why Mr. Gasper's apology should not be accepted. Mr. Page replied giving good reasons why the apology could not be accepted and therefore requested again that the acting U. S. Consul should entertain the complaint and proceed against Gaspar. The Minister says the acting Consul refused to proceed, and added that he could not "understand how the U. S. Consul "can refuse to issue summons "against the offender &c." and therefore requested me to give

"instructions to the Consul to the
"end that the case be properly
"heard &c." This communication by
the Minister reached me on the 10th of
August during my sojourn in the
mountains and I immediately
addressed a note of that date to
His Excellency Mor Terashima & also to
Mor. Benson (copies of which are
enclosed) in which I acquainted
him of the complaint of this govern-
ment and declared the act of
Gasper an inexcusable violation
of the Railway Regulations and
also instructed him to have the
Agent of the government Mor. Page
verify the complaint and to issue
precep against Gasper and judi-
cially try the same. This Mor.
Benson neglected to do, but on

2/843
2/843

the 17th of August acknowledged the receipt of my instruction of the 10th of August and requested that I "would be good enough to inform him where in American law" he would find authority for the punishment of a citizen of the U. S. for such an act as that charged against Gasper, and repeated his request on the 29th of August. These requests not having reached me until the 1st of Sept. on the 4th ultimo I replied to both of the last named notes of Mr. Benson, referring him to Consular Regulation 424 and to Sections 4086, 4087, 4088 of U. S. Revised Statutes for authority to proceed against Gasper and suggested to him that the complaint

be made in the form of civil action for trespass, and that he should have Mr. Page verify the complaint as required by the Court Regulations informing him that the law implies damage for every unlawful trespass committed with force against property &c:

On the 6th of September Mr. Benson informed me that Gasper had left Japan by reason of ill health, and on the 21st September he informed me that he had acquainted Mr. Page the agent that according to my instructions the civil action could be proceeded with though Mr. Gasper had departed the Empire (See Consular Court Regulations Pp. 3 Sec. 13.) On

the 20th September Mr. Benson again addressed a note to me in which to my surprise he stated that as a civil action in trespass was the only form of action which could be brought in the case according to my instruction he would place the matter in my hands, enclosing copies of a correspondence with Mr. Page. Upon the receipt of this despatch from Mr. Benson on the 3d instant I addressed to him a despatch (a copy of which is herewith) requesting him to respectfully inform Mr. Page that our Court Regulations and laws must govern in all proceedings criminal and civil in the U.S. Consular Courts and also remind.

4/48

ing him that in my No. 571 dated May 29, 1878 I had transmitted to him a copy of the Railway Regulations and had therein instructed him that they were obligatory upon American citizens in Japan the same having been promulgated before the commission by Gasper of the alleged trespass or misdemeanor, and in my said despatch of the 3d inst. I also stated that I was not aware that I had given him any instruction to the effect that the civil action in trespass was the only form of action upon which he could judicially proceed against Gasper, but that I had suggested a civil action in the premises

because I supposed it would be satisfactory to this government inasmuch as any damages adjudged therein against Gasper would be payable to the Japanese government and would also enable the Consul to proceed even if Gasper had departed the empire. The chief importance which attaches to this case is that I think it essential that all our Consuls in Japan the Consul General included should be required in all cases wherein this government complains of violations of law by American citizens to its injury, to proceed without delay and to proceed at once under my direction

in accordance with Personal Instructions Art. 18 and Consular Regulation 43.

I trust that the instructions given by me to Mr. Benson may accord with your judgement and meet your approval, and especially my instruction to him that a forcible & unlawful entry into the close of this government as charged against and confessed by Gasper is not only a trespass for which a civil action will lie, but also a misdemeanor for which he may be held to answer criminally if found within the jurisdiction of the U. S. Consulate in which the offense was committed,

inasmuch as the act charged was committed by force and was also committed in violation of the public law of this Empire.

I have the honor to be
Sir,
Your obedient Servant,
Jno. A. Bingham

Enclosure No. 1. in No. 873.

(Copy)

Translation.

No. 29.

Foreign Office, Tokio,
The 31st the 7th month the
11th year Meiji.

His Excellency,
Jno. A. Bingham,
Envoy Extraordinary and Minister
Plenipotentiary of the U. S. A.

Sir:

I have the honor to inform your Excellency that on the 27th of the third month last, as the train was moving from the Railway Station at Sannomiya, within the jurisdiction of the Hiogo Ken, Mr Frank Gasper a citizen of the United States

and resident of the port of Kobe, was observed to rush up to the wicket gate for the entrance of passengers which was then already shut, and unfasten it by forcibly removing the wooden bar, cross the metals, jump upon the step of a second class carriage on the offside, and enter it through one of the windows, and moreover that he had not obtained a ticket, and only paid the fare when he arrived at Kioto.

This act of Mr. Gasper being an infraction of the Regulations relating to the Railways of this Empire, Mr. Walter J. Page Agent of the Railway Bureau brought the matter before the United States Consul at Kobe, who in reply, forwarded to Mr. Page Mr. Gasper's letter of apology, and also wrote a

letter setting forth that such an occurrence on his part should not happen again and that as the act complained of was not of an aggravated character and as no person or property suffered thereupon he could see no good reason why Mr. Gasper's apology should not be accepted.

The statements of his apology referred to, were to the effect that he was not aware that he was violating any Railway Regulations by entering through one of the windows of a second class carriage while the train was in motion, but that he was anxious to catch the train as the delay of an hour and a half would have been a serious inconvenience.

He further stated that he regretted that

by an act of thoughtlessness he had given the Railway authorities cause of complaint and that he would not be found committing such offence again and that with this apology he requested withdrawal of the formal complaint made to the United States Consul.

Mr. Page again wrote to the United States Consul to the following effect, that while expressing his sincere thanks for the trouble which the United States Consul had so kindly taken to induce Mr. Gasper to offer an apology for his conduct he very much regretted to say his instructions would not admit of his accepting the same. There was a time when such an apology might have been received, but Mr. Gasper having emphatically refused

to offer it then, or to admit that he had been guilty of any irregularity whatever, Mr. Page had no authority at the present time to stay proceedings against him and therefore respectfully begged the Consul to be so good as to hear the charge.

To this letter however the United States Consul only replied by stating that he could see no reason to change the views expressed in his previous communication addressed to Mr. Page, and no further step has been taken by the Consul to issue summons against the offender and hear the charge and therefore the matter has finally been referred to me by the proper authorities.

I beg now to say that I cannot

understand how the United States Consul can refuse to issue summons against this offender and hear the charges preferred against him. While there is undoubted proof of his having violated the Railway Regulations and I therefore request that necessary instructions be given to the United States Consul to the end that the case be properly heard and adjudicated without delay.

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration.

(Signed) Terashima Munenori,

H. I. J. M's Minister for

Foreign Affairs.

Enclosure No. 2. in No. 878

Copy

No. 866.

U. S. Legation

Tokei, Aug. 10, 1878

H. E. Terashima Munenori,

&c. &c. &c.

Sir:

I am in receipt of Y.E's note of date the 31st. ultimo in relation to the complaint against Mr. Frank Gasper, a citizen of the U. S. and have the honor to acquaint Y. E. that I have requested Mr. Benson, the Acting U. S. Consul, to take the oath of

Mr. Page to his complaint and to issue proces against Mr. Gasper and try the complaint according to law.

I trust that prooper and prompt action will be had.

I have the honor to be,

Sir,

Your obedient Servant,

(Signed) Jno. A. Bingham.

Enclosure No. 2. in No. 873

Copy.

610.

U. S. Legation

Tokei, Aug. 10th 1878.

E. S. Benson Esq.

U. S. Vice Consul,

Hiogo and Osaka,

Sir:

I am informed by the Foreign Office of His Majesty the Emperor of Japan that in March last one Frank Gasper, an American citizen, was guilty of a rude and inex= cusable violation of H. M's Railway Regulations at Sano= mura within the jurisdiction

of the Hiogo U. S. Consulate, that
due complaint has been made
before you in the premises by
Mr. Page, the Japanese agent
of the Railway Bureau, and
that you have declined to
bring Gasper into Court to
answer for the trespass, trans-
mitting his apology to the
effect that he was not aware
that he was violating law
by entering a car through
a window when the train
was in motion, and that
he would not commit such
offense again. As our treaty
obligations and our statute
law require that for all
offenses committed by citizens

of the U. S. in Japan against
Japanese such offenders shall
be tried in the U. S. Consular
Court and upon conviction shall
be punished in accordance
with American law, and
as H. M's Government insists
that proceps shall be issued
against Mr. Gasper and that
he shall be held to answer
for the unlawful trespass so
committed, I trust that you
will have Mr. Page verify his
complaint as required by the
Consular Court Regulations,
issue proceps against Mr Gasper
and judicially try and deter-
mine the same.

It is the declared policy

of our Govt. to observe all its treaty obligations with Japan, and require a like observance of its treaty obligations by the Japanese Govt. in all cases of complaint by our citizens.

You will please advise me of the action you may take in the matter upon the receipt of this.

I am, Sir.

Your obedient Servant

(Signed) Jno. A. Bingham.

Enclosure No. 4 in No. 873.

Copy

673.

U. S. Legation,

Yokohama, Japan, Oct. 3rd 1878.

E. J. Benson Esq.

U. S. Consul,

Kobe.

Sir:

Your No. 211 of date the 28th ult. in relation to the complaint of Mr. Page against Mr. Gasper is received together with enclosures.

Mr. Page should be respectfully informed by you that our laws and regulations must govern all proceedings criminal and civil in the U. S. Consular

Courts in Japan. and that no action criminal or civil can be brought therein until a complaint in writing is therein made and duly affirmed or sworn to by the complaining party.

In my No. 541 I enclosed to you a copy of the Rail-way Regulations and instructed you that they were obligatory upon American citizens in Japan. If as I suppose they do, these Regulations prohibit unauthorized persons from opening the Rail-way Enclosure and from entering the cars through the windows without a ticket or special authority to do so the person so offending is guilty of a trespass and a misdemeanor for which if an American

citizen he is liable both in a civil and criminal action in our Consular Courts in Japan under the laws of the United States and our treaties with this government.

The act charged against Gaspar was a misdemeanor as it was an act committed in violation of a public law of this Empire which as I had already instructed you was obligatory upon American citizens in Japan.

I note your remark in your No. 211 that a civil action is by my instructions to you the only form of action which you "can judicially act upon," and have to say that I am not aware that I gave you any such instruction

but I did say to you in my
Nos. 610, 612 & 625 to proceed
against Gasper in a civil action
for his unlawful trespass and
that the judgment therein should
be according to the aggravation
of his offense against the law.
I supposed this action would
be satisfactory to the Japanese
government as it would assure
to it the money that might be
exacted of Gasper and also enable
you, though Gasper had departed
from Japan, as you informed me,
to proceed on such complaint
for trespass by publication of
summons as provided in Court
Regulation 13, page 3 of Consular
Court Regulations. As your

state in your letter to Mr. Page No. 210 of date Sep. 27. that "Gaspar has committed no crime, offense or misdemeanor he cannot be tried convicted or punished", you are requested to furnish me a copy of Art. 5. of the Railway Regulations, and also to state whether such Railway Regulations do not in that or some other provision thereof forbid and prohibit such acts as were charged against and confessed by Gaspar, as you have reported to me.

As I have before advised you our government intends to respect all its Treaty obligations with Japan and to punish

as therein required all offenses committed against Japanese or against Japanese law by Americans in this Empire.

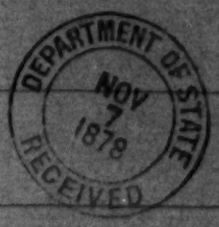
I am, Sir,

Your obedient Servant,

(Signed) Jno. A. Bingham.

Mr adee

No. 874



U. S. Legation.
Tokei, Japan 8, Oct 1878.

Mr. Bingham to the Secretary of State.

Subject

Receipt of Instructions No. 375 376. 377 & one Vol of "Statutes at Large."

No. 874.

U. S. Legation

Tokei, Japan 8, Oct. 1878.

Hon. William M. Evarts,

Secretary of State,

Washington D.C.

Sir:

I have the honor to acknowledge the receipt of Instructions numbered 375; 376 and 377 respectively; and also to acknowledge the receipt by the same mail of the 19th volume of the U. S. Statutes at Large containing the acts of the 44th congress. I have placed the volume in the library of the Legation as the

property of the United States,
and I pray you to accept
my thanks for the same.

I have the honor to be,

Sir,

Your obedient servant

Jn. A. Kingman

No. 875

Resident approves, communicates act of minister of Nov. 20. T. Nov. 29. Mr Fish.

Made

United States Legation

Tokei. Japan Oct 9th 1878.

Mr Bingham to the Secretary of State.

Subject.

The withdrawal by Mr. Van Buren of the protection of the United States from an American citizen Glass & his surrender by the Consul to the japanese Governor to be dealt with by the japanese authorities by which authorities Glass was imprisoned Sep. 25th on a complaint made against him before the Police Department. Mr Bingham's correspondence with the Foreign Minister demanding release of Glass, protesting that the jurisdiction of the U. S. over American citizens in japan is exclusive, and asks by what authority Glass is imprisoned by japanese officials. The Foreign Minister replies that jurisdiction was taken by the japanese only because the Consul gave notice that Glass was no longer

under U. S. jurisdiction and should be dealt with by the Japanese. The Foreign Minister disclaims Japanese jurisdiction. Mr. Bingham also encloses correspondence with Mr. Van Buren, and also calls attention to his former correspondence with Mr. Van Buren & the Department in the case of Rappeport

Part 2. No. 5. Foreign Relations 1845 p.p. 609-612.

Mr. Bingham also refers to Arts 6 & 7 of Treaty of 1858. and to the Act of 1860 to enforce the same Mr Terashima not only disclaims the jurisdiction of Jap but declares that the action complained of by Mr. Bingham would not have been taken but for the notice given 7th of Sept. by Mr. Van Buren to the Kanagawa Governor, to wit that he, Van Buren, had concluded to withdraw from Glass his official protection and leave the Governor to deal with him in the future.

No. 875.

U. S. Legation,

Tokei, Japan, 9th Oct. 1878.

Hon. William M. Evarts,

Secretary of State,

Washington D.C.

Sir:

On the 28th ultimo the English and French Ministers severally called my attention to an article in the Japan Daily Herald of the 26th ultimo (a copy of which is enclosed) in which it was stated that one Thomas Glass had been released, September 8th, from the United States Consular jail, that at that time the protection of the United States had been withdrawn from him and that Glass was then

handed over to the Japanese authorities, that the Japanese officials had ordered him to leave the country within fifteen days, and that having failed to leave he had been arrested and locked up by the Japanese authorities at the police station until it should be decided what to do with him. By referring to the Japan Daily Herald of the 29th of August last, and also to the Japan Gazette of the same date it appeared by the law reports therein published that on the 29th of August last Mr. Van Buren our Consul General had found Glas guilty of assault and battery, had sentenced him to ten days imprisonment and had also announced that on the expiration of his time of im-

possessment "the protection of the United
"States would be withdrawn from the
"prisoner and that in future Glass
would be under Japanese jurisdiction".
copies of which reports of the Herald and
Gazette are herewith. I also enclose
for your information the report of the
proceedings against Mary Glass wife
of Thomas Glass as published in the
Japan Gazette of the 30th of August in
which it is stated that the Consul
General, in pronouncing sentence
against her husband said "when
"Mr. Glass comes out (of jail) I (the
"Consul General) will turn him over
"to the Japanese authorities," also Herald report 21/8 of
Mary Glass in which Consul warned her "he should hand her over to Japanese
jurisdiction." This action of the Consul General
was to me a surprise inasmuch
as on the 25th of May 1895 he wrote me

that in the case of Rappeport an
American citizen he "had informed
"the Governor of Yokohama in writing
"that he" (the Consul) "should on the 30th
"May 1873 withdraw from him (Rappe-
"port) "my" (the Consul General's) "official
"protection leaving him to be deported
"or punished for future offenses by the
"Japanese Authorities". Mr Van Buren
also informed me that the Governor
in reply requested the Consul General
to deport Rappeport and that he the
Consul General declined to do so say-
ing "no such right was conferred
on me" (the Consul General) and conclu-
ded by asking me for Instructions
on file in this Legation from the
Department upon the subject.

On the 7th of June 1875 I replied

to Mr Van Buren in which reply I stated my opinion to be that "the pro-
"vision of the 7th article of the Treaty
"of 1858 "that the Japanese authorities
"may require Americans convicted
"of felony or twice convicted of misde-
"meanors to leave the country does not
"as your (his) dispatch seems to imply
"confer the power upon the Japanese
"Government either to deport such
"convicted Americans or to subject
"them to Japanese jurisdiction and
"punishment". I also in my reply
enclosed for the Consul Generals informa-
tion Department instruction to Mr Dr.
Long No. 193 in which the Depart-
ment said very properly in my
opinion that the Consul (Sheppard)
would "be instructed to explain

"to the Department by what author-
"ity he sent American citizens
"out of the country." You will observe
in my reply to Mr. Van Buren (2. Part
Foreign Relations 1873 p.p. 811-12.)
I set out the judgment of Consul
Sheppard which says nothing of depart-
ing the prisoner Rogers or of handing
him over to the Japanese authorities.
and yet it seems he did deport the
prisoner (Rogers) and only accounted
for his action therein by leaving the
Department to infer that he deported
him under the law to the United States
of America as a disabled seaman!
Instructed as I had been to insist
upon the inviolability of our Treaties
with Japan and especially to insist
upon the exclusive jurisdiction of the

United States over all American citizens in Japan to the absolute exclusion of any jurisdiction over them by this Government, I fully informed the Department of my action with the Consul General in relation to Rappeport in my No. 232 of date June 7, 1875 the approval of which the Department signified by publishing any dispatch to the Department together with my instruction to Mr. Van Buren in reply to his note, in the "Foreign Relations 1875" part 2 p.p. 809-812 to which I respectfully ask your attention.

It is proper that I should say that as I am advised this government did not deport, arrest or imprison Rappeport but I was advised that he left the country voluntarily and I have no doubt

such is the fact! This case of Glaspie therefore is without precedent & I may add that in my opinion the action of the Consul General and of this government therein are in flagrant violation of the treaty and on the part of the Consul General in violation also of all instructions and of the act of 1860, 12 Statutes at Large p. p. 72-80. The sum of all my instructions from the Department as to the effect of our Treaties as expressed by Mr. Fish in Instruction 87 to Mr. Delong and quoted by me in my No. 232 "Foreign Relations" 2d Part 1873, page 811, is that the power of trying and punishing American citizens for all offenses committed by them

in Japan "has been kept in the hands of our own representatives." Surely it cannot be that Japan can imprison and punish or deport to any place at its election American citizens because of offenses committed by them in Japan when by the 6th article of the Treaty of 1858, ("Treaties &c. of the United States page 518,") it is provided that "Americans committing offenses against Japanese shall "be tried in American Consular "Courts and when guilty shall be "punished according to American "Law", and by the 7th article thereof Americans convicted of felony or twice convicted of misdemeanors are restricted to one "ri" (about

two and a half miles) inland from their residences and shall lose their right to a permanent residence in Japan and the Japanese authorities may require them to leave the country. This is all that the Treaty provides in such cases. It has always been construed that the Japanese can only require of our representatives that such convicts shall leave Japan either by their own act or by ours and never has it been supposed that our convicts might by the arbitrary act of Japan be first imprisoned and afterwards at the pleasure of the government be transported to any foreign place or state whatever. The judgment

in the case of Rogers was as you will see by my note to Mr. Van Buren in 2d part "Foreign Relations for 1875" page 811-12, that the prisoner should be kept at hard labor in jail for one year and that he should also forfeit his right of residence in Japan.

By the 2d Section of the act of 1860 all citizens of the United States for offenses against law are to be held to answer for all such offenses by them committed in Japan before our Consuls and by the 14th section thereof all our citizens who refuse to comply with the sentence of our court shall stand committed until they do comply. 12 United States Statutes at Large pages 72

and 75 and Revised Statutes page 795 Sec. 4101. Thus it is clear that a sentence of our Consular Court that such convict shall forfeit his right to reside longer in Japan by reason of his crimes whereof he is convicted before our courts can be enforced without the intervention of the Japanese Government beyond the mere request that the convict shall be required to leave the country. Entertaining these views, on the 30th of September last I addressed a note to his Excellency Mr. Terashima the Foreign Minister asking to be informed if Glass had been imprisoned by the Japanese authorities as reported and if so demanding in the name of my government

that he be immediately released, a copy of which note is herewith.

I have not yet received a final reply from Mr. Terashima but have received a note of date the 4th inst from Mr. Mori the Japanese Vice Minister for Foreign Affairs acquainting me that Glass had been released from said imprisonment and that immediate action had been taken by his government in the matter and that as soon as a report of all the particulars was received from the governor of Kanagawa (which was daily expected) a further reply would be given to my note of the 30th ultimo and also to my note on the same subject of date Oct. 8th, a copy

5/845 of which last note is also enclosed.

I addressed to Mr Van Buren a note on the 30th ult. a copy of which

6/845 is enclosed requesting a copy of his judgment against Glass and also a copy of all orders made by him in the premises. I have the honor to inclose a copy of Mr.

7/845 Van Buren's reply to this request together with a copy of his judgment in the case. It is to be noted that Mr. Van Buren in his reply says by reason of his "great respect" for me he furnishes the copy of his judgment against Glass but adds that it can only "be reviewed in the manner prescribed by law."

Suit

8/845 I inclose a copy of my reply to this note and regret to note that

the Consul General not only saw fit to question my right to request a copy of his judgment but to suggest that my action was induced by an article in the Herald written by Mr. Goble as he states with whom the Consul General as I am informed and believe has in contravention of general personal instructions Art. 18 of Consular Regulation 97, issued 1874 discussed this question in the public journals.

Herewith, I enclose a copy of Mr. Goble's article referred to by Mr. Van Buren in his dispatch, of the 1st inst. as published in the Japan Daily Herald of the 27th of September last and signed "Constitutional Rights", and I also enclose a copy of Mr. Van Buren's

reply to Mr. Goble (as represented to me)
10/84 and published in the Japan Gazette
of date the 28th Sept. 1878 signed
"Philosopher", and I also enclose
an article published in the
Japan Daily Herald of the 5th inst.
11/84 signed "Index", which on its
face purports to have been pub-
lished with the consent of the Consul
General in which the public is
informed to some extent of the
action of the Consul General, of the
fact that Glass has voluntarily
left the country, that the Consul
General had no official information
of the arrest and trial of Glass
by the Japanese authorities, and finally
that the Consul General states "that
he has written his Government

Quick

" earnestly requesting instructions in the premises". You will observe that Mr. Van Buren in this news= paper communication as also in his dispatch to me of the 1st instant a copy of which is herewith entirely ignores the exclusive right of the United States to execute its own laws upon all American citizens in Japan, and treats the question as being of interest only as affect= ing Glass who is denounced in Mr. Van Buren's despatch to me of the 1st inst. as a great nuisance and disgrace, and in the article signed "Index" as a notorious offen= der. On the 3d instant I ad= dressed a further note to Mr. Van Buren requesting a copy of all correspondence

between him and the Governor of Kanagawa on the subject, a copy of which, and copies of his reply thereto dated 4th inst. with enclosures are herewith.

12/84

You will observe that Mer. Van Buren in his letter of the 7th Sept. to Mer. Nomura (the Governor) says of Glass that he (Glass) has become "a public nuisance, and that he (Van Buren) has concluded to with= draw from him my (his) of= ficial protection and leave you (the Japanese Governor) to deal with him, in accordance with the Treaties between the United States and Japan."

Of course if Glass was no longer

to be dealt with after the 8th of September by any but the Japanese officials, for offenses thereafter committed, it is not surprising as reported in the Japan Gazette of the 27th of September last, that on the 26th of September Glass was "taken into custody by the Japanese authorities in pursuance of the sentence passed upon him (meaning the Consul General's sentence of the 29th of August) and "was sent by the Japanese authorities to prison for ten days".

Though Glass has since been released and has voluntarily left the country the question remains shall like jurisdiction be taken

in future, under our existing laws and Treaties, by the Japanese officials, our American citizens, by the order or upon the request of the United States Consul?

I consider it a matter of minor importance, that Glass after his enlargement from the Consular jail on the 8th of September, was not adjudged by our Consul to be entitled to reside within Japan, not going beyond one "ri" from his residence for a specific period not exceeding one year.

Since writing the foregoing I am in receipt of Mr Terashima's final reply a copy of which with copy of an enclosure from the

Kanagawa Governor to the Foreign
Office is herewith, the other enclosures
therein referred to being copies of the
correspondence between the governor
and Mr. Van Buren herein before
enclosed. See enclosures No. 12
You will observe in the enclosed
letter of Governor Nomura to the
Foreign Office he says "having received
" Mr. Van Buren's letter (of 7th Sep.) stating
" that official protection was withdrawn
" from said Glass I (the Governor) there-
" fore instructed the police Department
" to summon said Glass and notify
" him to leave Japan within fifteen
" days. On 25 of same month Glass
" was again summoned and urged
" by the police Department to leave
" the country" and on the 26th a

" complaint was brought to the Police
" Department by H. Miller against
" Glass" and Glass "then appeared
" at the Police Department and was
" detained there for the purpose of enqui-
" ry" into Miller's complaint against
him" and as "the 27 Glass was summon-
" ed as a witness before the United
" States Consulate in the case of
" Miller against his wife and also
" against Mary Glass, and that
"no further complaint being made
"by Miller against Glass," "Glass was
"discharged by the Police Department
"of the Kanagawa Ken on the 28th
"Sept.". This shows that a com-
plaint was made to the Japanese
police Department against Glass
on the 26th of Sept. that said Depart-

ment took jurisdiction thereof and held Glass a prisoner to answer, and finally discharged him on the 28th of September for want of further prosecution by Miller. It also shows that the Governor took jurisdiction over Glass, imprisoned him, and held him to answer, because of the notice of Mr. Van Buren to him on the 7th of Sept. that "official protection was withdrawn" from Glass by the Consul General.

In the light of this transaction I can but repeat what I said in my No. 232 of June 7th 1875 Foreign Relations 1875 Part 2. p. 310" by no "rule of construction can the Consul "General declare the right of a cit= "izen of the United States to be tried

" for all offenses committed in Japan
" before an American Consul and on
" conviction to be punished according
" to American law, forfeited, and such
" citizen to be subjected thereafter
" to trial by torture, in Japanese
" tribunals."

I may be allowed to add that the Consul General cannot thus surrender not merely the treaty rights of American citizens, but what is of much greater moment, the treaty rights of the United States of America.

It is gratifying to note that His Excellency Mor. Terashima in his reply herewith of date the 2nd Oct. expressly "disclaims any action on the part of the local authorities of Kanagawa in this case inconsist-

"ent with the full and exclusive right
"of jurisdiction of the United States au-
"thorities over citizens of the United
"States in Japan", and significantly
adds that "had the Ken Ei (the Governor)
"for a moment doubted the intention or
"the authority of the Consul General, to
"withdraw from Thomas Glass his official
"protection, the action of the Ken Ei in
"the first instance, would not have been
"taken".

I have only to say in conclusion that to my mind it is clear that under the Act of 1860 above referred to (United States Revised Statutes, pp. 792-95. Sections 4084-4101) the Consul General had full power by appropriate judgment to execute upon Glass all the requirements of the Treaty

to adjudge that he should forfeit his right of residence in Japan, as was done in Rogers's case; (See my No. 167 to Mr. Van Buren in Part 2 Foreign Relations 1875 p. p 811 + 2) that he also had power to order Glass to leave Japan within a time specified not exceeding one year, and that by Src. 4101 of Revised Statutes, upon the refusal or neglect by Glass to comply with such sentence, the Consul General as therein provided, was authorized to order that Glass should stand committed until he should comply with such sentence, or be discharged by order of the Consul, with the consent of the Minister of the United States in Japan. Instead of thus

asserting the rights of the United States in the premises, and enforcing the laws against Glass, he withdrew from Glass any official protection, and surrendered to the Japanese authorities all jurisdiction over the person of the prisoner, and expressly declared "I leave "you (the Japanese Governor) to deal "with him, in accordance with the "Treaties between the United States "and Japan."

I respectfully submit the foregoing to your consideration for such instructions as you may deem needful, trusting that my action in the premises may meet your approval.

I have the honor to be

Sir.

Your obedient servant.

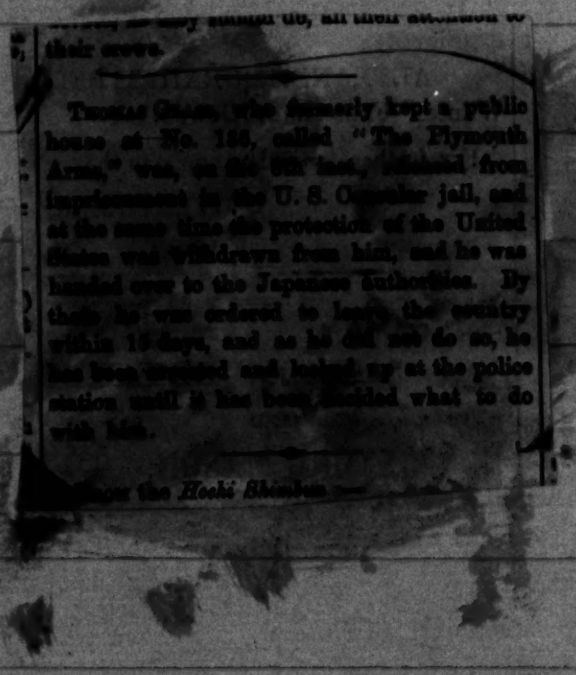
Jno. A. Bingham

Enclosures.

1. From "Japan Daily Herald" of Sep 26th 1878.
2. From Jap. Daily Herald & Gazette. Law reports Aug 29th 1878.
3. ~~of Aug 30 & 21st~~ Sept. From Japan Gazette Aug 30 & Daily Japan Herald Sep. 21. 1878
4. Mr Bingham to Mr Terashima Sep 30. 1878
5. " " " " " Oct 3, "
6. " " " " Van Buren Sep. 30. "
7. Mr Van Buren to Mr Bingham Oct 1st. 1878. 1 enc.
8. Mr. Bongham to Mr Van Buren Oct 3 1878.
9. Art from Jap. Daily Herald. Sep. 27, "
10. " " " Gazette Sep. 28 "
11. " " " Daily Herald Oct 5 "
12. ~~1~~ Mr Van Buren to Mr Bingham Oct 4. "
~~0~~ 3 enclosures
13. Mr. Terashima to Mr Bingham Oct 9/1878 and one enc. Gov. Nomura to Mr Terashima.

Enclosure A in No. 875.

From "Japan Daily Herald" of Sep. 26th 1878.



their crews.

Thomas Glass, who formerly kept a public house at No. 166, called "The Plymouth Arms," was, on the 6th inst., released from imprisonment in the U. S. Consular jail, and at the same time the protection of the United States was withdrawn from him, and he was handed over to the Japanese authorities. By them he was ordered to leave the country within 15 days, and as he did not do so, he has been arrested and locked up at the police station until it has been decided what to do with him.

From the *Hochi Shimbun*.

Enclosure 2. in No. 875.

From "Japan Daily Herald" & "Japan Gazette of Aug. 29. 187

LAW REPORTS.

IN THE U. S. CONSULAR-GENERAL COURT.

Before Gen. T. B. VAN BUREN, *Consul-General.*

Thursday, August 29th, 1878.

Thomas Glass, of No. 136, Homura Road, Yokohama, was charged, under a warrant, with violently assaulting his wife, Mary Glass, on the night of Sunday, the 25th instant. The hearing was appointed for the 28th, and adjourned till the 29th.

Prisoner pleaded not guilty.

Mary Glass, sworn, stated that between twelve and one o'clock on the night of the 25th the prisoner, who came out of gaol on the 24th, knocked her down with his fist. She screamed for help. The servant girl was in the house, and tried to stop him, and he struck her and knocked her outside of the door. Witness begged him to spare her life. Then he went outside, and she got two marines to try to get him to come back and go to bed, and he lay outside the door crying "Police." The servant girl and the cook saw the assault committed. A man named Shean took her to the back of the house to get her out of the way.

To prisoner:—You did not strike me, but choked and strangled me.

William Shean, seaman, sworn, stated:—I am living at Glass's house, and was in the bar-room on Sunday night when the difficulty occurred between the prisoner and his wife. Mrs. Glass was in the bar-room, where I was, and Mr. Glass was outside. They both went out into the back, and I heard them wrangling there, and Mrs. Glass singing out for "Help." I went out, and saw that the prisoner had hold of Mrs. Glass by her hands, his wife being on her knees. I told Glass that was no way to serve his wife, and, after parting them, took Mrs. Glass outside and made the prisoner go inside. I did not see any blow struck, but I saw Mrs. Glass with a black eye, and a little blood on her dress.

Watanabe Ume, Japanese servant at No. 136, testified to seeing the prisoner and his wife fighting in the bar at the time in question.

The prisoner wished to be examined, and stated that on Sunday night there were some parties in his house, and his wife sang out something of his having just come out of prison, and that he would go back again before long. She then struck him twice with a tumbler. He was quite sober, and took hold of her to try to pacify her. She ran out into the back yard, and he followed her, and caught hold of her to stop her from climbing over the gate. Then she began to cry out, and Shean came from the house, and said he ought not to treat her so. That was all he had to say.

His Honour said there was no sort of doubt but what the prisoner committed the assault, and there was also no doubt that he had had a great deal of provocation. His wife was just as bad as he was. The house was a nuisance, and he meant to stop it, and break it up. He would have a complaint made out against Mrs. Glass and lock her up after he got through with this thing. He would sentence the prisoner to ten days' imprisonment, would withdraw his protection, and turn the prisoner over to the Japanese authorities.

The prisoner:—Thank you, sir.

His Honour:—You will have to leave this place.

The prisoner said his clothes were gone from No. 136, and he wished the house to be closed by the Consul's orders.

The prisoner was then removed in custody, and His Honour ordered a complaint to be drawn up against the house as a public nuisance.

'THE MYSTERY OF EDWIN DROOD.'

(Reprinted)

In the U. S. Consular-General Court.

Before General Thos. B. VAN BUREN, Consul General.

Thursday, August 29, 1878.

Thomas Glass was charged with having, on Sunday night, the 25th istant, at his house, No. 136, assaulted and cruelly beaten and kicked his wife.

The prisoner pleaded not guilty.

Mary Glass, wife of the prisoner, deposed to the assault, of which she gave the details.

William Sheen, a discharged sailor, lodging at the prisoner's public house, and a Japanese servant girl, partly corroborated her evidence.

The prisoner then made his own statement, whereupon His Honor addressed him, saying that there could be no doubt of the assault, although there probably was provocation, for the prisoner's wife was just as bad as the prisoner himself, which meant a good deal. He, the Consul General, was in fact going to take immediate measures for having prisoner's house shut up as a public house; it had become a public nuisance and the whole neighbourhood was complaining loudly. In the meantime he ordered Glass to be imprisoned for ten days; when his term has expired, the United States' protection will be withdrawn from him, and he will in future be under Japanese jurisdiction, by which means it is to be hoped that the country will be rid of him.

The Deputy Marshal was then ordered to make out a charge against Glass and his wife for keeping a disorderly public house at No. 136, "The Shamrock."

Enclosure 3 in No. 875.

From the "Japan Gazette" of Aug. 30th, 1878.
& from "Japan Daily Herald of 21st Sep 1878.

In the U. S. Consular-General Court.

Before Gen. T. B. Van Buren, *Consul-General.*

Friday, August 30th, 1878.

Mary Glass, of No. 136, Homura Road, Yokohama, was charged, on the complaint of G. W. Elmer, with having, on the 29th August, 1878, and on divers other days, kept an unlawfully and ill-kept house, and with conducting herself so as to be a scandal to the neighbourhood.

Prisoner pleaded not guilty.

William Hazell, police-constable, sworn, stated:—I know the prisoner, who keeps a public-house, called The Brewer's Arms, at No. 136, Yokohama. She has been there about a year and a half. I have been called out on duty on various occasions when there was trouble at the house, and drunkenness. I have been called at twelve, one, and two o'clock in the morning. There was liquor on sale there. Last Sunday morning I was called out at two o'clock. There was a quarrel going on in the house, and Mr. and Mrs. Glass were calling each other names. I remained out for an hour, and about three o'clock Mr. Glass cried out for the police. There were two marines there, and Mr. Glass said he wanted to shut up the house and ordered them away, and I told them they must go away. Mrs. Glass came out and said she wanted to go to the station, as she was afraid to stay in the house with her husband. She was intoxicated at the time, and I have frequently seen her in a state of intoxication. The place is about as clean as the other places there. On Sunday evening I was on duty there, and Mr. Glass again sang out for the police, and I saw Mrs. Glass strike her husband. I have heard many complaints about the house.

Friday, August 30th,

Mr. G. W. Elmer, Deputy Marshall of the U. S. Consulate, was sworn, and stated, that, from a certificate he had in his possession, there was some doubt as to the prisoner being the legally married wife of Thomas Glass. From what he had seen, it was one of the noisiest and most disreputable houses in the country. He had received complaints almost nightly from different persons, and sometimes applications from Glass and Mrs. Glass, asking for interference in disturbances. Witness referred to two cases in which men had been assaulted in the house.

Mr. C. A. Michel, sworn, stated that Glass and the prisoner were his tenants, and the neighbours had frequently complained of the noise.

Evan Lewis, landlord of the British Queen, stated that he knew the prisoner at Hongkong, were she went by another name, but he did not know whether or not the husband with whom she was then living was now alive. The house at No. 136, as it had been kept by the prisoner, was a disorderly one.

Richard Johns, living in the house (Mr. Jordan's) next to the Brewer's Arms, corroborated the previous testimony.

His Honour said there were other witnesses, whom he did not think it necessary to call.

The prisoner having made a statement, in which she asked for the leniency of the Court,

His Honour said he had had a great many complants about the prisoner before this, and had let her off in hopes that she would improve, and she had made a great many promises.

The prisoner said she would promise faithfully.

His Honour:—You have committed a grave offence against the public. I shall have to lock you up for eight days and then I am going to discharge you. That place is closed. It must not be opened again. When Mr. Glass comes out I shall turn him over to the Japanese authorities to be sent out of the country. If another complaint is made against you after you get out, and you are arrested and brought here and convicted again by me, I will have you sent out of the country. I am going to stop this thing as far as I can.

The prisoner was then removed in custody.

HIOGO.

the U. S. Consular-General Court.

re General Thos. B. Van Buren Consul, General.

Saturday, September 21, 1878.

People of the United States vs. Mary Glass.

isoner, who was charged by Mrs. Leonora with abusive language and threats of violence st the complainant, in the house of the , No. 187, on the 19th inst., pleaded guilty. dded that she went to the house of the lainant to bring her husband home.

Honor ordered the prisoner to be locked 24 hours, and warned her that on the very ccasion he should hand her over to Japa- urisdiction, which probably would not be ble to her.

Enclosure 4. in No. 875.

Copy.

847.

U. S. Legation,

Tokei, Japan, 30th Sep. 1878.

His Excellency

Terashima Munenori,

H. I. J. M's Minister for

Foreign Affairs.

Sir:

I beg leave to call Your Excellency's special attention to an editorial paragraph in the Japan Daily Herald of the 20th instant in re-lation to Thomas Glass a citizen of the United States of America of whom it is therein stated that he, said Glass was on the

8th. inst. released from the U. S. Consular gail and at the same time the protection of the United States was withdrawn from him and he was handed over to the Japanese authorities. It is also therein stated that said Glass was by the Japanese authorities ordered to leave the country within fifteen days, and as he did not do so he has been arrested and locked up at the police station until it shall be "decided what to do with him."

In view of this statement I respectfully enquire by what Japanese official such order to leave the country was made

and under and by virtue of what public Japanese law was such order made. I desire that a copy of such law (translated) be forwarded to me if there be such Japanese law. I also request that Your Excellency will be pleased to make Enquiry without delay into the truth of the above published statement that said Glass has been arrested and locked up in the Japanese police Station until it shall be "decided what to do with him," and if it be true that said Glass has so been arrested and imprisoned by Japanese officials I beg leave to request on behalf of my government that he be immediately released and

set pro- form such unlawful
arrest and imprisonment.
By the 6th Art. of the Treaty of 1858
between Japan and the United
States it is expressly provided
that "Americans committing
offenses against Japanese shall
be tried in American Consular
Courts and when found guilty
shall be punished according
to American law." This Article
includes all offenses against
Japanese while our American
statute enforcing this Treaty
makes a like provision as to
all offenses against law com-
mitted by Americans in Japan.
No matter therefore what may
have been the offense of Flats

either against Japanese or American law the Japanese authorities have no color of right to arrest and imprison him therefor with or without a trial. Glass by reason of crimes whereof he may have been convicted may have forfeited his right to permanent residence in Japan and thereon may be subject to be requested by your government to leave Japan as provided in Art. 7th of the Treaty; yet if he neglects to leave he is not for that reason liable to arrest and imprisonment by the Japanese government, nor to deportation by that government. In no

cuse whatever under existing treaties is an American citizen subject to Japanese jurisdiction or liable to be imprisoned and punished by the Japanese government with or without trial.

I have the honor to be,

Sir,

Your obedient servant,

(Signed) Jno. A. Bingham.

Enclosure 5 in No. 875.

Copy.

No. 848.

U. S. Legation,

Tokei, Japan. Oct. 3, 1868.

His Excellency.

Terashima Munenori

H. I. J. M's Minister for

Foreign Affairs.

Sir:

I respectfully ask your special attention to my communication of the 30th of September No. 847 in relation to the arrest and imprisonment by Japanese officials of Thomas Glass an American citizen.

Your Excellency will I trust favor me with an early reply to my several enquiries made in said despatch

and also that you will inform me whether my request therein made on behalf of my government for the immediate release of said Glass from the unlawful arrest and imprisonment by Japanese officials to which he had been subjected has been complied with and if so when was he released and by whose order. I trust Your Excellency will concur in opinion with me that under existing treaties Japan cannot imprison and punish or deport from this empire American citizens on account of crimes committed by them.

I have the honor to be,

Sir,

Your obedient servant

(Signed) Jno. A. Bingham.

Enclosure 6. in No. 875.

Copy.

639.

U. S. Legation,

Tokio, Japan, 30th Sept. 1878.

Thomas B. Van Buren, Esq.

U. S. Consul General,

Kanagawa.

Sir:

My attention has been called to the report made in the Japan Daily Herald of a proceeding for assault and battery had in the United States Consular General Court on the 29th of August last upon a complaint made against one Thomas Glass. I have to request that you will transmit to me

a copy of all judgments and orders entered by you in the matter of said complaint against said Glass, with the date thereof, and also a statement of all other offenses whereof said Glass may have been convicted as evidenced by the records in your Consulate, with the date of each conviction.

I am, Sir,

Your obedient servant,

(Signed) Jno. A. Bingham.

Enclosure 7 in No. 875

Copy.

No. 3518.

U. S. Consulate General

Kanagawa Oct 1st 1878

Hon. John A. Bingham,

U. S. Minister.

Tokio Japan.

Sir:

I have the honor to acknowledge receipt of your despatch No. 639 of date the 30th ultimo in which you request me to transmit to you a copy of all judgments and orders entered by me in the matter of the complaint against Thomas Gaps for assault and battery, proceedings in relation to which were reported in the

Japan Daily Herald as having been had in this court on the 29th ult August last and also a statement of all the offenses whereof said Glass may have been convicted as evidenced by the records of this court with the date of each conviction

In reply I have the honor to enclose herewith copy of the sentence passed upon Glass on the 29th of August 1878 and to state that on the 4th April 1877 Glass was convicted of assault and battery, and again on the 23rd July last he was convicted of a similar offense.

Besides these three convictions Glass has been four time arrested upon formal complaints & in each instance (although there was no question as to

his guilt) I allowed the complaints to be withdrawn as provided by Sec. 21, page 48 Consular Court Regulations. In addition a great number of informal complaints have been made against Hall upon which I have called him up and warned him. He is a great nuisance and a disgrace to our country, & his departure from Japan will be hailed as a good riddance by all law abiding citizens.

On the 7th of September I notified the Kanagawa Ken Rei that Hall had been several times convicted of misdemeanors, and was a common nuisance, and therefor came within the provision of the Treaty of 1860 between the United States and Japan, and I left him to be dealt with accordingly

to those provisions. No reply was made to this until the 30th of the same month when I received a letter from the Ken Rei in which he says that "after "mature deliberation he has de- "termined to require Glas to leave "Japan according to Art. VII of the "Treaty between the United States "and Japan;" and he asks me "to take the necessary steps to that end;" "and further to notify him (the Ken- "Rei) "as to what day Glas is to "leave the country."

Upon the receipt of this letter I sent for Glass, and, stating to him the contents of the Ken Rei's letter asked him at what time he could leave the country.

He replied that he had made arrangements to leave on to-morrow the 2d inst. I then caused to be served upon him a notification to leave on or before the 10th inst. "unless in the meantime he should "make it appear to me that such "time was not sufficient". He expressed his gratification and said the time was more than sufficient. I also notified the Kuikei as to the limit of the time fixed by me, viz: the 10th instant.

The article in the Herald which possibly induced you to write me upon the subject was written by one Jonathan Goble a deposed missionary, but a continuing member of the "Church militant" who

is well known to this community and especially to this consulate as a man of ungovernable passions and given, upon slight provocations to breaches of the law against personal violence. I find upon the Record of this court that he has been twice convicted of misdemeanors and once imprisoned for contempt.

His particular grievance against me for which he has sworn vengeance is that I not only rendered judgment against him to the amount of $3.50 on the complaint of a Japanese jinrikisha man for forcibly taking possession of and detaining his vehicle, but made him pay it.

He filed a protest of great length and force and like many another who "when they feel the halter draw, have poor opinion of the law," has proceeded to ventilate himself in the newspapers.

I have thus, Sir, cheerfully complied with your request on account of my great respect for you, although of the opinion that my action in the premises, being judicial, can only be reviewed in the manner prescribed by law.

I am, Sir,

Your Obt. Servant

(Signed) Tho B. Van Buren,

Consul General.

Sub. Enclosure in Enc. 7 in No 875

Copy

In the U. S. Consular General Court.
Kanagawa Japan,
August 29th 1878.

The people of the United States
Against
Thomas Glass,
Before J. B. Van Buren Esq.
Consul General.
Charge- assault and battery.

Judgment.

The court finds prisoner guilty and the sentence is that he be confined for ten days and then turned over to the Japanese authorities to be

removed from the country.

Signed J. B. Van Buren,

Consul General.

Enclosure 8 in No. 873.

Copy.

645.

U. S. Legation

Yokei, Japan 3rd Oct. 1878.

Thomas B. VanBuren Esq.

U. S. Consul General,

Kanagawa,

Sir:

I have to acknowledge the receipt of your No. 3518, enclosing in compliance with my request a copy of the sentence passed by you upon Thomas Glass on the 29th of August last.

The article in the Japan Herald to which your letter and the author-ship of which you attribute to

Mr. Goble, did not induce me to write you as you suppose, in relation to your action against Glaf; neither did I request a copy of your judgment and of all orders made by you in the premises with a view as you seem to infer to review by judicial action on my part any judgment or order made by you against Glaf.

My attention having been called to the report made in the Japan Daily Herald of your proceedings in the case against Glaf as I advised you in my No. 639 it became my duty under my Instructions to request a copy of the judgment

therein reported not for any judicial action but for my information and if need be for Diplomatic action, and in my opinion it was your duty to comply as you did with my request.

In view of what you state in your despatch to me in relation to a correspondence between yourself and the Kanagawa Ken Ei touching the proceedings against Glass I have to request that you will furnish me copies of all the correspondence between yourself & the Ken Ei in the premises.

I am, Sir,

Your obedient Servant,

(Signed) Jno. A. Bingham.

Quit

Enclosure 2. in No. 875.

From "Japan Daily Herald" Sep. 27 1878

4.

IDAY, 27TH SEPTE

CORRESPONDENCE.

(We are not responsible for the opinions or sentiments of our correspondents.)

To the Editor of the *Japan Herald*.

DEAR SIR,—With regard to Thomas Glass, who has been handed over to the Japanese Government, by the U. S. Consul General, I do not know anything of the merits of the case as regards the deserts of the prisoner now in the custody of the native police.

But in reference to the rights of American citizenship, I wish to say that I am not the only one who has held, and still hold the strong belief that an American citizen cannot be thus lightly cast adrift by any legally constituted authority of the United States Government. In case any expenses are incurred by the Japanese Government in sending this man beyond its borders, I think a bill for such expenses presented to the American Government could not honourably be ignored. Moreover if the man has committed any crime or misdemeanour, is it not a shame to his own Government that they should attempt to shirk their own duty of administering lawful punishment, and ask any other government to do their dirty work for them?

Again, in case the Japanese authorities should neglect to provide him with suitable quarters, or with wholesome food, or should in any way maltreat or torture him, so that he should suffer serious injury in health, or be in danger of the loss of life or limb, would it not be a good case for some smart young lawyer to take up to sue for heavy damages from the United States Government, or from some officer or department of that Government for such a misinterpretation of the fundamental principles of the constitutional rights of American citizens?

In short if there is any Consular Rule or Bye-law which can thus, in a moment, entirely disenfranchise an American citizen by the stroke of a pen, made either by a U. S. Minister, by a Secretary of State, or by any other officer of that Government, or even by the Congress of the United States assembled, still I am decidedly of the opinion that no such rule or law can stand the test of a trial in the Supreme Court upon the question of its constitutionality.

If it should prove to be really true and beyond doubt, that any American citizen can thus by the arbitrary breath of one man, without any chance of appeal or of trial by jury, be at once and forever, irrevocably alienated from all the protection, rights, and privileges of his nationality, and handed over to the tender mercies of a government where he cannot expect any of the charities of a Christian prison, or in case of his death, where he must be buried like a dog without Christian rites; I say if it comes to this, and the rights of citizenship are, after all, so exceedingly precarious, then I never want to hear anything more of extra-territorial rights, and then I am ready to-morrow to sign articles and become a naturalised subject of H. I. M. the Emperor of Japan.

But I believe that in America even a convict has some legal rights as well as some claims upon Christian charity, which neither courts of justice nor officers of police nor wardens of prisons ever dare to disregard, and before I renounce and abjure forever all claims upon the protection of the "Stars and Stripes" in a foreign land, I should like to see the matter fairly and thoroughly tested, to prove whether it be really true that an American Consul can arraign and punish one of his own countrymen for any crime or misdemeanour for a certain space of time until the requirements of law and justice are fully satisfied, and then hand over the released prisoner to be again imprisoned, punished, and it may be tortured by another jurisdiction. Really it seems to me a principle of common sense to suppose that the legal jurisdiction which gives authority to arrest and try, and punish a citizen, should also, of necessity, carry with it the rights of protection to that citizen, which no court ought to be allowed to ignore. I think there must be "a screw loose somewhere," and I wait in hope that the practised eye of some legal engineer shall detect the looseness and apply the remedy.

I am sir, yours respectfully,

CONSTITUTIONAL RIGHTS.

Yokohama, Sept. 27th, 1878.

Quit

Enclosure No. in No. 875.

From the "Japan Gazette Sep. 28, 1878.

SEPTEMBER 28TH, 1878.

CORRESPONDENCE.

☞ *We do not hold ourselves responsible for the opinions expressed by Correspondents.*

To the Editor of the *Japan Gazette.*

SIR:—"With regard to Thomas Glass, who "has been handed over to the Japanese Gov- "ernment by the U. S. Consul-General," of whose case a correspondent in yesterday's *Herald* very properly announces his ignorance, but which has given occasion for a learned essay, on his part, on "constitutional rights," as creditable to his head as have been his frequent exhibitions of muscular Christianity during the past ten years to his heart, permit me to say that the power exercised by the Consul-General is expressly provided for in the same Treaty from which he derives all his judicial authority; and, as one of the community of Yokohama I am profoundly thankful that such power exists.

It will be conceded I apprehend, that, if no Treaties existed to the contrary between Japan and certain other Governments, all persons on Japanese soil, whether foreign or native, would be subject exclusively to Japanese law and amenable to the Japanese authorities. By the Treaties referred to, however, Japan has granted to the Treaty Powers the right to establish in this country Judicial Tribunals, and provided that the citizens or subjects of such Treaty Powers should be placed under their respective jurisdictions.

In article VII of the Treaty made between the United States and Japan on the year 1860, will be found the following. "Americans "who may have been convicted of felony, or "twice convicted of misdemeanors shall not "go more than one Japanese ri inland from "the places of their respective residences, "and all persons so convicted shall lose their "right of permanent residence in Japan, and "*the Japanese authorities* may require them "to leave the country."

In view of this explicit provision, I fail to see what "constitutional right" of Mr. Glass, has been violated, unless the learned contributor to the *Herald* is of the opinion that to be a "constitutional bummer" is the birth-right of every "free American citizen" in Japan.

The anxiety displayed by the *Herald's* correspondent to protect what he is pleased to call the "constitutional rights" of citizens would be better appreciated did he set forth the causes of his personal interest in the particular "right" or wrong of "deportation" while awaiting that explanation I may ask him to consider if it would not be well for him to understand that "two convictions for misdemeanors" for assaults upon Japanese coolies for instance, or for malicious destruction of their property, would bring the criminal within the provision of the Treaty above quoted or not.

I am, &c.,

Yours faithfully,

PHILO SOPHES.

Yokohama, Sept. 27th, 1878.

Foot note of Gazette to the preceding.

* We are sorry to be compelled to dissent from the views of an esteemed correspondent who is evidently thoroughly acquainted with the subject he writes about, but we hold it to be one of the unalterable and unquestioned privileges of newspaper correspondents to conceal, or put aside for the purposes of an argument, any individual interest possessed in the merits or rights of the question to be considered or discussed. The Editor of the *Herald* might, with equal justice, demand a definition of the personal interest of his correspondent in the subject matter of his letter [illegible] he demands the name [illegible] not necessarily for publication, but as a guarantee of good faith. The only possible objection to this would be that no person whatever would venture to correspond with newspapers whom they are willing to entrust with their names, confidence of secrecy, but never with their interests or motives.

LAW AND POLICE.

Omit

Enclosure 11 in No. 875

"Japan Daily Herald" Oct 5th 1878.

CORRESPONDENCE.

(We are not responsible for the opinions or sentiments of our correspondents.)

THE CASE OF THOMAS GLASS.

To the Editor of the Japan Herald.

DEAR SIR,—The case of Glass, an American Citizen, who was lately required by the Japanese Authorities to leave Japan, having excited so much comment, I felt a desire to know exactly what the facts of the case were, and accordingly I waited upon the United States Consul General and ascertained as follows:

Glass, who has been an old and notorious offender, was finally warned by the Consul General that, if brought before him again he would be sent out of the country. Having been, not long thereafter, again arrested and convicted of an aggravated assault, the Court announced that at the expiration of his sentence he "would be handed over to the Japanese Authorities to be sent out of the country according to the Treaty," and due notice of this was given to the Kenrei of Kanagawa.

On the 30th of September the Kenrei replied, stating that "after mature deliberation he had concluded to require Glass to leave the country," and requesting the Consul General, "to take the necessary steps to that end," and "to fix the time of his leaving," as provided in the Treaty. In accordance with this request, the limit of time was fixed by the Consul General at the 10th inst., after a personal interview with Glass, who not only stated that the time was more than sufficient, but that he had "made arrangements to leave on the 2nd instant,"—He did make such "arrangement," and left on the Shanghai steamer, on last Wednesday.—No demand was made upon the Japanese Government or officials to pay for his transportation. As to the fact of his having been arrested or tried by the Japanese Authorities, the Consul General has no official information.

At the time of the orgie in the house of Miller he (Miller) went to the Police Station and asked the assistance of the police to arrest Glass, and remove him from his premises.

Such arrests are made almost every night in the

TOBER, 1878.

case of sailors and others creating disturbances in bar rooms or dwellings. The police, on the occasion referred to accompanied Miller to his house, but Glass had left, and a rumour a few days since, reached the ears of the Consul General, that Mr. Glass had gone from Miller's direct to the police station, and delivered himself up. He was not, tried, however, for any offence, and when the Consul General sent for him he was found at liberty.

These seem to be the simple facts, the provisions of the treaties upon the subject of forcing a citizen from the country, are obscure and defective, the Consul General admits, and he adds that he has written his Government earnestly requesting instructions in the premises.

The great benefit resulting to the community, by the removal of persons who by their conduct have become general pests, must be manifest to all, and I sincerely trust that either by the interpretation to be put upon the Treaty provisions by the proper officers of the U.S. Government, or by new legislation, if necessary, the hands of the Consul General may be strengthened and the mode of proceeding be made clear.

I am, Sir,

Very truly yours,

VINDEX.

Yokohama, October 5, 1878.

Reuter's Telegrams.

Enclosure 12 in No. 875.

Copy.

No 3522

U. S. Consulate General

Kanagawa Oct. 4, 1878.

Hon John A. Bingham

U. S. Minister

Tokio.

Sir:

In compliance with the request contained in your No. 645 of the 3rd inst. just at hand I have the honor to hand you herewith copies of all the correspondence which has taken place between the Kanagawa Ken Rei and myself in reference to Thomas Glass. This correspon-

dence consists, first, of my letter of the 4th of September, second, of the reply of the Kenrei of the 30th same month and my rejoinder of the same day, but sent on the 1st instant.

I am, Sir,

Your obedient Servant

(Signed) Thos. B. Van Buren.

1st Enclosure with Encl. No 12 in 875

Copy

No 3474

U. S. Consulate General

Kanagawa Sep. 7, 1878

Nomura Yasushi Esq.

Kanagawa Kenrei.

Sir:

One Thomas Glass an American who has for sometime past kept a disreputable den in Nomura Road, will be discharged from the gaol of this Consulate General to-morrow morning the 8th inst. he having been imprisoned on a conviction for a misdemeanor.

As he has heretofore on several occasions been convicted and punished for similar offenses

and is so conducting himself as to become a public nuisance. I have concluded to withdraw from him my official protection, and leave you to deal with him in accordance with the Treaties between the United States and Japan.

I am, Sir,

Your ob't. Servant

(Signed) Thos. B. Van Buren.

Consul General

II
No. Sub Enclosure with Enc 12 in No 875.

Copy.

Government Office translation

Kanagawa Sept. 30, 1878.

Sir:

I have the honor to acknowledge receipt of your letter of the 7th instant in which you inform me that Thomas Glass a U. S. citizen who had been imprisoned for misdemeanor would be released from the U. S. Consular jail on the 8th and that as he had on several former occasions been convicted & punished for similar offenses and had become a public nuisance

Your

J. B. Van Buren Esq.

U. S. Consul General.

you had concluded to withdraw
from him your protection leaving
me to deal with him according to
to the Treaty between the United States
and Japan

In reply I beg to say that in
view of your having withdrawn your
official protection from him and his
becoming a general nuisance to my
countrymen I have after mature
consideration determined to require
him to leave Japan according to
Art. VII. of the Treaty between the
United States and Japan, and
beg you therefore to take the neces-
sary steps to that end.

Awaiting information from
you as to what day he is to
leave the country

I have the honor to be,

Sir,

Your obedient Servant

(Signed) Nomura Yasushi,

Kanagawa Ken Rei.

III rd.

Sub. Enclosure in Enc 12 in No. 873.

Copy

No. 3514.

U. S. Consulate General

Kanagawa Sep. 30, 1878.

Nomura Yasushi Esq.

Kanagawa Ken Rei.

Sir:

In reply to your letter of to day advising me that you have required Thomas Glass the man mentioned in mine of the 7th instant "to leave Japan according to Art. VI of the Treaty between the United States and Japan" and requesting me to notify you as to the day he is expected to leave I have to

say that I will give notice to him to leave on or before the 10th of October prox.

I am, Sir.

Your obed.t Servant

(Signed) Thos. B. Van Buren.

Consul Gen.al.

Enclosure 13 in No. 875.

Copy
Translation
No 31.

Foreign Office Tokei
The 9th of the 10th month
The 11th year Meiji.

His Excellency John A. Bingham,
Envoy Extraordinary & Minister
Plenipotentiary of the U. S. A.
Sir:

I have the honor to acknowledge the receipt of Your Excellency's notes of the 30th ultimo and of the 3d inst. regarding the action of the local authorities of Kanagawa respecting Thomas Glass an American citizen residing at that port.

Upon the receipt of your first communi=
cation I immediately directed the Kenrei

of Kanagawa to furnish me with full particulars regarding the case, of which no official notice had been received at this Department.

Having received the report of the Kenrei together with the correspondence which passed between that office and Consul General Van Buren, I now hasten to reply to Your Excellency's inquiries and beg to inclose herewith translations and copies of the Report and correspondence referred to.

It appears that on the 4th of September last Thos. B. Van Buren Consul General of the United States at Kanagawa officially notified (Enclosure A) the Kenrei of that port one Thomas Glass an American citizen had been convicted of a misdemeanor in the United States Consular Court of Yokohama, and that as he had often been previously convicted of

like offenses and was so conducting himself as to become a public nuisance; he (the Consul General) had concluded to withdrew his official protection from said Glass, and to leave the said Glass to be dealt with by the Kenrei in accordance with the Treaty between the United States and Japan.

In view of the notoriously bad character of the said Glass the Kenrei decided upon the receipt of the Consul Generals letter, to take the necessary steps to secure the removal of said Glass from the country, in pursuance of the provisions of the 7th article of the Treaty with the United States, said Glass having clearly forfeited his right to reside in Japan.

The declaration of the Consul General that he had "withdrawn his official protection" led

the Kenrei to believe that the only course left to him was to notify Glass directly to leave the country, instead of officially requesting enforcement of that requirement through the Consul General of the United States.

Accordingly he caused Glass to appear before the Police Authorities where he was informed that by reason of his forfeiture of his right to reside longer in the country and the further fact of the withdrawal of the protection of the United States Government, he was required to leave Japan within fifteen days.

The enclosures "A" "B" "C" & "D" will acquaint you so fully with regard to the action of the Kenrei that it is unnecessary for me to repeat their contents here.

Sufficient to say that it soon became apparent to the Kenrei that force would

probably be required, either to restrain the man Glass from outrages upon public decency and order or to send him out of the country, he therefore determined to invoke the assistance of the United States Consul General in removing him from the country, and accordingly on the 30th of September he addressed a note (Enclosure "B") to the Consul General informing him that he had decided to cause Glass to quit the country and requesting the Consul General to deal with him accordingly.

It only remains for me in this place to disclaim any action on the part of the local authorities of Kanagawa in this case, which may prove to be in opposition to or inconsistent with the full and exclusive right of jurisdiction of the United States authorities, over citizens of the United States in Japan.

I may be allowed however to point out the fact, that Thomas Glass has forfeited

his right of residence in Japan, that he is a notoriously bad character and that the Japanese authorities have the right to require him to leave the country: and I respectfully submit that had the Kenrei for a moment doubted the intention or the authority of the Consul General of the United States to withdraw from Thomas Glass his official protection the action of the Kenrei in the first instance would not have been taken.

I also beg to add that Your Excellency will further observe by reference to enclosure "D" that the said Glass has never been arrested or imprisoned.

I avail myself of this occasion to renew to Your Excellency the assurance of my highest consideration.

(Signed) Terashima Munenori

H. I. J. M's Minister for Foreign Affairs

1st Sub Enclosure in Enc. 13 in No 88 :

Copy.

No. 2608 Police

Translation enclosed

Kanagawa Kenn

the 5th the 10th month

the 11, year Meiji.

To the Secretaries

of the Foreign Office

Gentlemen:

I have the honor to acknowledge the receipt of your despatch numbered 78 ont releting to the action taken by the Kenn regarding Thomas Glass an American citizen.

I beg to say in reply that I received a communication from the United States Consul General at this port, as No. 1 document herewith enclosed, stating that official protection was withdrawn from said Glass. I therefore

instructed the Police Department to summon said Glass and notify him to leave Japan within fyteen days. On the 23rd of the same month however, he was found still in this port and therefor again summoned and urged by the Police Department to leave the country and was discharged upon his declaration that he should leave Japan in an American man of war.

On the 26th a complaint was brought to the Police Department by H. Meiller of No. 93 Yokohama that said Glass entered his house and declined to go out of the door notwithstanding his repeated requests to do so. Said Glass then appeared at the Police Dept. and was detained there for the purpose of making enquiry of the complaint brought by Meiller against him. On the 27th said Glass was summoned to the United States Consulate

General as witness to the case of said Miller against his wife and the wife of Glass, and as no further complaint was made by Miller, against Glass for his having entered the house of the former said Glass was discharged by the Police Department of the Kanagawa Ken in this morning of the 28th.

In consulting over the matter, I deemed the case applicable to the 7th article of the Treaty between Japan and the United States and said Glass should be sent out of the country by his Consul and I therefore wrote him a letter to that effect as No. 3 document herewith and obtained an answer thereto as No. 4. document also enclosed herewith

I am, &c. &c. &c.

Nomura Yasushi

Kanagawa Ken.

instructed the Police Department to summon said Glass and notify him to leave Japan within fyteen days. On the 23rd of the same month however, he was found still in this port and therefor again summoned and urged by the Police Department to leave the country and was discharged upon his declaration that he should leave Japan in an American man of war.

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In consulting over the matter, I deemed the case applicable to the 7th article of the Treaty between Japan and the United States and said Glass should be sent out of the country by his Consul and I therefore wrote him a letter to that effect as No. 3 document herewith and obtained an answer there-to as No. 4. document also enclosed herewith

I am, &c. &c. &c.

Nomura Yasushi

Kanagawa Kenrei

Acct'd for Dec 23 by Mr Pay Nov 23 Mr Pitt

Ack - Reminds Consul Gen that he will not need the $500 allowed by Dept

W Adee
C. P

No 876.

United States Legation,

Japan,

Tokio, October 16, 1878

Mr Bingham

to the

Hon Secretary of State.

Subject.

The Japanese Government offers to make the necessary repairs to the Consular Jail at Yokohama,

Enclosures.

1. Mr Terashima to Mr Bingham

October 15, 1878.

2. Mr Bingham to Mr Terashima

October 16, 1878.

No 876.

United States Legation,
Japan,
Tokei, October 16, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to Instruction No 118 of date the 16th of January 1875, in relation to the needful repair of the United States Consular jail at Yokohama, I have the honor to acquaint you that after frequent interviews and considerable correspondence by me with the Foreign Office, it has pleased His Excellency in a communication

of

of yesterday to assent to my request and to agree to promptly make the necessary repairs to the jail, at the expense of His Majesty's Government, but only for this time, which is all that our Government, under the contract made by our former United States Consul at Kanagawa, Mr Shepard, could equitably demand.

1/1876 I have the honor to enclose a copy of the despatch of His Excellency Mr Terashima of date the 15th instant, and also a copy

2/1876 of my reply thereto.

I have the honor to be, Sir,

Your obedient servant,

Wm. A. Burlingame

No 876.

Enclosure No 1.

Copy.

No 37. Foreign Office, Tokio,
The 15th of the 10th month
The 11th year of Meiji.

H.E. John A. Bingham
" " "

Sir:

I have the honor to acknowledge the receipt of Your despatch of the 30th of May last in relation to the repairs of the U.S. Consular jail at Yokohama.

I beg to say in reply that the U.S. Consular jail in Yokohama was entirely erected by my

Government in accordance with the agreement made during the 5th year of Meiji (1872) between the Kenrei of Kanagawa and Mr C. O. Shepard, the then Chargé d' Affaires of the United States, and on condition that the said jail would be repaired when necessary at the Expense of the U.S. Government. In compliance, however, with Y.E.'s repeated requests on the subject, my Government is inclined to make necessary repairs upon the jail for this time only.

As to the places requiring repairs and the particulars the Kenrei of Kanagawa has been instructed to confer with Mr

Van Buren, the United States
Consul General.

I avail myself of
this occasion to renew to
Your Excellency the assurance
of my highest consideration.

(Sgd.) Terashima Munemori,
H. I. J. M's. Minister for
Foreign Affairs.

Government in accordance with the agreement made during the 5th year of Meiji (1872) between the Kenrei of Kanagawa and Mr C. O. Shepard, the then Chargé d' Affaires of the United States, and on condition that the said jail would be repaired when necessary at the Expense of the U. S. Government. In compliance, however, with Y.E. repeated requests on the subject, my Government is inclined to make necessary repairs upon the jail for this time only.

As to the places requiring repairs and the particulars the Kenrei of Kanagawa has been instructed to confer with Mr

Van Buren, the United States
Consul General.

I avail myself of
this occasion to renew to
Your Excellency the assurance
of my highest consideration.

(Sgd.) Terashima Munenori,
H. I. J. M's. Minister for
Foreign Affairs.

No 876.

Enclosure 2.

Copy.

No 858.

United States Legation,
Tokei, October 16, 1878.

H.E. Terashima Munenori,
" " "

Sir:

I have the honor to acknowledge
Y.E. communication of yesterday,
in which I am advised that orders
have been given by Y.E. Govern-
ment to the Kenrei of Kanagawa
to make the necessary repairs for
this time only of the U.S. Consular
jail at Yokohama.

I beg leave to express my entire satisfaction with the action taken by Y.E. Govt., and to inform Your Excellency that I have notified the U.S. Consul General thereof.

I have the honor to be,

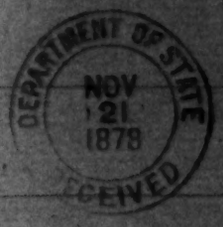
Sir,

Your obedient servant,

(Sgd.) Jas. A. Bingham

Ack.
L.R.

No 877. Woden



United States Legation,

Japan,

Tokei, October 16, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Mr Bingham advises his colleagues, the Foreign Office and the Consuls of his intended departure on leave of absence and that Mr Stevens will have charge of the Legation.

No 877.

United States Legation,
Japan,
Tokei, October 16, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have this day addressed notes to the Foreign Office and to my several colleagues and our Consuls in Japan, acquainting them that, availing myself of the leave to visit the United States so kindly granted to me, Mr Stevens will be from the 25th instant and during my absence in charge of this Legation as Chargé d' Affaires ad

ad interim.

I have the honor to be,

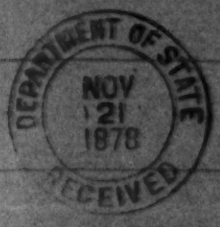
Sir,

Your obedient servant,

Jno. A. Hopkins

Mr Adee
Col. Morgan

No 878.



United States Legation,
Japan,
Tokei, October 16, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

Enclosing duplicate account for the Quarter ending September 30, 1878.

Enclosures.

1. Statement of account.
2. Abstract of contingent expenses with six vouchers.
3. Two exchange vouchers.

No 878.

United States Legation,
Japan,
Tokei, October 16, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.:

Sir:

Referring to my No 870 of date the 5th instant, in which I enclosed my first account and vouchers for salary and contingent expenses for the Quarter ending the 30th of September last, I have the honor to enclose herewith a duplicate of said account and vouchers, showing that my account with the Government for salary

and

and contingent Expenses up to the end of said Quarter — is balanced, leaving no public moneys in my hand.

I have the honor to be,

Sir,

Your Obedient Servant,

Jno. A. Bingham

Ack + inform proper person. | M. J. Hubbs inform Nov 27 D.
L. P.
acknowledged Nov 23.
Wm Hunter

No 879.

United States Legation,
Japan,
Tokei, October 17, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

In accordance with the instructions of the Department Mr Bingham makes enquiry as to the whereabouts of Charles H. Cook, but is not able to obtain any information with regard thereto.

No 879.

United States Legation,
Japan,
Tokei, October 17, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to Instruction No 374 of date the 14th of August last in relation to Charles H. Cook supposed to have come to Japan, I have the honor to report that I have made enquiry at Yokohama, Nagasaki and Kobe, and have received replies that no person of that name is now, nor has been at any time a resident

F

of either place. It has been suggested to me by Mr Denison, late United States Vice Consul General at Yokohama, that the person enquired for may be in this country under an assumed name. I do not suppose from what is said in your Instruction to me, that Mr Cook had any occasion to pass under an assumed name, or that he has here or elsewhere done so.

I have no reply from Mr Maugum, our Consul at Nagasaki, to whom I addressed a communication on the subject. When a reply is received, a copy of it will be forwarded to you. Further enquiry will be made at Hakodate

at

at soon as we may have a Consul there, but I have no belief that Mr Cook is or has been a resident at that place as but few Americans have at any time resided there.

I have the honor to be,

Sir,

Your obedient servant,

Wm A. Bingham

Rec'd Nov. 29. Mr Pell.

Ack

No 880. Wade

United States Legation,

Japan,

Tokei, October 17, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Enclosing copies of Mr Benjamin S. Lyman's report upon the second year's progress of the survey of the oil lands of Japan.

Enclosures.

Duplicate copies of the report.

No 880.

United States Legation,
Japan,
Tokei, October 17, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

Herewith I have the honor to enclose duplicate copies of the report of the second year's progress of the survey of the oil lands of Japan by our countryman Benjamin Smith Lyman, Chief Geologist and Mining Engineer. This report, like all the preceding reports of Mr Lyman, contains valuable in-

formation

formation upon the topography and geology of Japan.

I have the honor to be,

Sir,

Your obedient servant,

W. A. Burghers

Enclosure to Mr. Bingham's 880.

GEOLOGICAL SURVEY OF JAPAN.

REPORT

ON THE

SECOND YEAR'S PROGRESS

OF THE

SURVEY OF THE OIL LANDS OF JAPAN:

BY

BENJAMIN SMITH LYMAN,

CHIEF GEOLOGIST AND MINING ENGINEER.

TŌKEI:
PUBLISHED BY THE PUBLIC WORKS DEPARTMENT.
1878.

GEOLOGICAL SURVEY OF JAPAN.

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ERRATA.

Page 17, line 14, *after* months *insert*: or, say, at one per cent. for the 38 months.

,, 18, ,, 16 from bottom, *for* eighteen *read*: twelve.

,, 42, line 13, for Hosokuru read Hosokura.

ERRATA IN FORMER REPORTS.

In the Report of Progress for 1875 and seven Coal Survey Reports:

Page IX (table of Errata), *for* p. 29 *read*: p. 27

,, ,, ,, ,, p. 91 line 13, *read*: p. 91 line 16.

,, 121, line 10 from bottom, *for* E 421 s ,, E 421 f.

,, ,, ,, 5 ,, ,, ,, E 425 h ,, E 421 h.

,, 151 ,, 12 ,, *for* north-westerly *read*: south-easterly.

In the General Report on the Geology of Yesso.

Page 68, line 16 from bottom, *for* 4·70 feet *read*: 4·70 feet, 4·30 feet.

,, 71, ,, 14, *for* 2,085,000 *read*: 2,035,000.

GEOLOGICAL SURVEY OF JAPAN.

REPORT ON THE SECOND YEAR'S PROGRESS OF THE SURVEY OF THE OIL LANDS OF JAPAN; BY BENJAMIN SMITH LYMAN, CHIEF GEOLOGIST AND MINING ENGINEER.

To His Excellency

H. ITO,

Acting Minister of Public Works.

SIR,

I beg to make the following report on the progress of the second year of the survey of the Oil Lands of Japan, ending with the month of January, 1878.

Owing to changes in the Government our survey was transferred from the Home Department to the Public Works Department about the beginning of the year. The number and duties of the assistants remained unchanged except that Mr. S. Misawa who had been with us in the Yesso survey, was again formally made my assistant; but he has never yet been able to leave the hospital, and in the middle of December was allowed to resign. I am however still hoping that we may soon regain his very valuable services. Of the other assistants, Mr. Takahashi had occasion early in the year to change his name to Sugiura. I may add, to prevent misunderstanding, that the Mr. Saka of some of our Yesso reports is the same as the Mr. Ban of my report of last year.

The assistants, aside from my clerk Mr. Adachi, were in Yedo engaged in office work the whole year except

from 9th July until about the middle of October; and during that interval they were surveying in the country or travelling, in five different parties; as follows: Messrs. Yamauchi, Yamagiwa, M. Maeda and Akiyama made a survey of the small oil field near Iwada in Mishima-goori, Echigo, and joined it to the survey of Messrs. Inagaki and S. Maeda of the previous year near Miyoohooji; and afterwards joined together the former year's surveys of the Tateno, Tomikura, Wakui, Sekiguchi-shinden, Numa-shinden, Hurumi, Kajiro, Shibatsu, Nishijoo, Uematsu, Sharishinkooji Oil Lands, and returned to Yedo by 23rd October. Messrs. Inagaki and S. Maeda extended and completed the field work of their survey near Kanadzu, in Kambaragoori, Echigo; reaching Yedo again 4th October. Messrs. Kuwada and Nishiyama made surveys of the more important of the small oil fields in Akita Ken, namely: Menagata Midzusawa, Hunagawa, Masugawa, Nigori-kawa, Yabase, Kurokawa, Riuge, Tsukinoki, Kamioguni, Iseichi, Yokooka, uniting some of them together; and arrived again in Yedo on 31st October. Messrs. Sugiura and Ban made a survey of the oil field near Sagara in Tootoomi, and also visited a newly discovered gas place at Hikoji village half a league south-west of Nissaka on the Tookaidoo in Kitogoori, Tootoomi, and came back to Yedo 22nd October. Messrs. Kada and Shimada finished their survey of the former year at Matsuyama in Echigo and somewhat enlarged it, as far as to Inukoda; and arrived home again 23rd September.

Each party was instructed to finish at least the skeleton plotting of their surveys before returning; and accordingly did a larger share of office work while in the country than they had done in the exceptionally fine weather of the year before. Most of the parties travelled merely over roads already seen by themselves or by me, and consequently did not have particular occasion to undertake any new observations. Messrs. Kuwada and Nishiyama, however, went north by way of Nikkeo, Yamagata and Sakata; and came back under my advice, by way of the Innai and Handa silver mines for their instruction, but delayed only a few

hours at either place. They were also specially charged on their return with observing the geology and topography of the region traversed, so far as it was new to us; as likewise Messrs. Inagaki and S. Maeda were in regard to their return by the Tsuchidarugoe or Pass near the Shimidzu Pass, north-east of the Mikuni Pass.

For my own part, with Mr. Adachi I was travelling from 2nd until 17th May, and from 13th July until 8th December; and the rest of the time we were in Yedo engaged upon office work.

In the shorter journey in May we visited the oil and gas places in Tootoomi (or Enshiu); and in the other journey made a circuit through the north-east, north-west and middle of the island of Nippon, from Morioka in Nambu and the northern end of Akita Ken to Lake Biwa, and from the whole line of the western coast to the Nakasendoo, Kooshiukaidoo, Oshiukaidoo and the sea coast at Kamaishi; going particularly to the oil places of Akita, Shoonai and Etchiu and some of those in Shinano not seen by me the year before, and, as we passed, visiting the different parties of assistants, except those in Tootoomi and Matsuyama.

Office work.—Our daily attendance upon duty while in Yedo will be seen from the following table.

Name.	*Present.*	*Absent.*	*Whole No. of working days.*
Yamauchi.....	100	103	203
Inagaki.....	195	24	219
Kuwada.....	191	4	195
Sugiura.....	169	35	204
Kada.....	227	2	229
Ban.....	127	77	204
Shimada.....	182	47	229
Yamagiwa.....	180	23	203
S. Maeda.....	205	14	219
Nishiyama.....	188	7	195
M. Maeda.....	188	15	203
Akiyama.....	172	31	203
Adachi.....	150	0	150
Lyman.....	152	0	152

There were during the year no holidays beyond the usual weekly and scattered single ones, and ten days at New Year's.

During the season of field work the absences from duty were only some thirteen days by Mr. Yamauchi, owing to weak eyes; and five working days by me. It will be seen that (excepting Messrs. Misawa, Adachi and myself) the attendance in Yedo has been nearly six-sevenths of the whole time; comparing favourably with former years, and (I believe) with other offices; but still leaving much to be desired. In addition, the assistants through the greater part of the spring season commonly stayed in the office about an hour beyond the stated office hours in order to receive a lesson from me in Physics, and, besides, worked much additional time in the evening in writing up their notes of the same. Of the time spent by myself in office I kept a record (though it can hardly be admitted that the work of a manager can be estimated so strictly by the hour, since often the best of such work is done in moments of apparent idleness), and find on counting up the number of hours while in Yedo and while at office work in the country that there were 101 hours or three weeks and two days, or a daily average of about 40 minutes of such additional work, to which may be added about four months of extra work done in travelling, according to the rule of five leagues a day during inspection tours (like my long trip), and ten leagues during journeys without inspection by the way (as the trip to Tootoomi was reckoned); making, then, nearly five months of extra labour done within the year.

The office work of the assistants has been chiefly the mapping of their surveys. Mine has been the oversight of theirs, advising them when any difficulty arose, and generally the management of the office and the carrying on of its correspondence with the government. Under the general rules in regard to purchase of implements and the like while in Yedo, the labor of such cor-

respondence is altogether greater than the petty amount of our outlays would lead an outsider to suppose.

As the assistants' mapping through the whole spring season had not advanced to the main geological part and was in general free from any difficulties too great for them, I had leisure left to give them some lessons, which they had long been greatly in need of. I took Lardner's Natural Philosophy, a book extremely well suited to their wants, though rather out of date in the edition we had, and lectured to them from it, trying in some measure to bring it up to the times as far as the more essential defects were concerned and to suggest illustrations from our own work and instruments. Having four and five years ago experienced the very serious drawback of giving them lessons through an interpreter, I this time in spite of my very imperfect familiarity with the language gave the lessons in Japanese. The assistants most kindly endured with patience the numerous faults of speech, and took the meaning with such readiness as was possible; and the result poor as to be sure it was, yet was far more satisfactory than that of talking indirectly through an interpreter, with all its delays and with the certainty of frequent grave misunderstandings in his attempt to interpret off-hand concerning matters not at all well understood by himself. In such lessons, to keep up the attention and constant care in taking and revising notes, the assistants are always strictly required at least once a week to show a neatly written completed copy of their notes. We were able in that way to go very thoroughly through the whole volume of about 750 pages and to give the assistants a fair understanding of even the most recondite points of the treatise, and to impress them passably well on their memory. The lessons, 74 in number, were given from 6th February until 27th June, about five days in each week; and began some twenty minutes before the end of the regular office hours and commonly lasted about an hour and a quarter, but sometimes longer. I regret extremely that the assistants, owing to so much practical occupation have had and still have no better opportunities for getting good

information in various accessory branches of learning; but they are not altogether idle in such matters, and give a portion of their leisure hours to studies of that kind with the help of books.

Among the labors to be attended to in the spring season was the seeing through the press and the proof correcting of the General Report on the Geology of Yesso and the Report of Progress of the first year of the Oil Survey. They both came out in April, and copies of them were to some extent distributed in the course of a couple of months. Many of the maps of the Yesso Survey are yet unpublished, but the more important ones are getting printed as fast as the very limited opportunities here permit.

It is perhaps best to say here a few words in explanation of some criticisms of our Yesso work that you may have seen in the valuable English periodical called the Geological Magazine (November, 1877, pp. 522-526). The reviewer is so kind as not only to give well merited praise to the capacity shown by our assistants but to make many friendly and flattering remarks about our labors, the maps and reports, for which I cannot be too grateful. Nevertheless, I trust it may not seem too much like complaining that my cake is not all sugar, if in hopes of removing serious misconceptions, I venture to answer one or two sentences that he has found occasion to insert. Among other things he says: "Sections across the coal beds are frequently given, showing synclinal and anticlinal curves, the forms of which need not as a general rule be necessarily those assumed for them from observations on the dips taken at the surface." I have been greatly at a loss to account for such a sweeping stroke, considering the extreme pains that had been taken both by the assistants and by myself under mutual observation and criticism to have such curves not merely "as a general rule" but in every case correspond exactly with the observed dips (so far as the observations were trustworthy); and it was rarely indeed outside of very narrow limits that the correspondence was anything but a

"necessary" one. Often not necessary to be sure from the dips that enter into any one section, but from a consideration of them and of the dips of the neighbouring sections likewise. It has however occurred to me that the writer of the article may possibly have overlooked the fact that the dip on the surface line of a cross section is very often necessarily different from the corresponding observed dip at a different level and at some little distance from the line of section. If he should compare the observed dip with the dip at the same level in the section (supposing the dip parallel to the section as is commonly the case) he will I am sure find "as a general rule" a complete agreement.

He speaks also of our having on our maps "what seem to be rather speculative lines to mark, not merely the outcrops of the important beds, but also their positions at various depths beneath the surface." The degree to which the lines are speculative has in every case been pretty clearly indicated on the maps themselves by the words "probable" or "conjectured," and depended in great part upon the presence or absence of observed rock exposures. A man unacquainted with the topographical method of geological surveying might imagine it to be wholly impossible to give with any probability whatever the position of outcrops and underground beds of rock; but such mapping is not merely guesswork or "speculative," it is nothing less than a geometrical construction on paper of the forms indicated by the scattered rock exposures, and has in America been used successfully by three or four individuals for more than a quarter of a century as a means of ascertaining the position of outcrops or underground beds preparatory to opening them. Of course unobserved small irregularities or variations of dip may take away the quality of absolute certainty from such mapping; but in some regions the course of the rocks is comparatively regular. For example, in one case in Cape. Breton such a map (by Professor J. P. Lesley and myself, fifteen years ago) indicated to the local mine superintendent, who was planning a shaft, that

the bottom of a certain coal bed would be 180 feet deep at a certain point about three quarters of a mile from its nearest exposures on either side (exposures identified as part of the same bed by the very methods in question); and on boring he found, it to be 182 feet deep. In Professor Lesley's long experience numerous striking cases of the kind have occurred; and the method has been of far more frequent use in successfully identifying or opening coal or ore beds where the distance from previously known exposures is not so great as in the instance just described. Not only are beds identified, but the relative geological position of different beds in scattered exposures is made out, and trustworthy columnar sections made possible where otherwise there could only be conjecture.

The criticisms quoted above seem rather to confirm what I have suspected and already intimated, that our method of surveying is well understood by extremely few, even among geologists. So far as I know, it is practised by hardly fifteen or twenty in the whole world, and of them a dozen are Japanese and the rest Americans. It seems to me therefore all the more necessary to speak repeatedly of the advantages of a method that is so much neglected, on account perhaps of its laboriousness, but that on the whole so well repays the trouble it requires. It seems to me to be not merely a kind of geological surveying, but the only kind of it that deserves the name of practical geology (or geognosy). The mere insertion of a few dips here and there on the best map of a country that can be found already in existence (and generally such maps are on far too small a scale, or are too inexact for working out geological details of much value), or coloring such maps to show the general relative arrangement of whole groups of rocks, or measuring exposed rock sections here and there, are in general comparatively easy processes, important as they sometimes are, and are but the simplest, lowest stages of the method I wish to extol. In those processes it has been common to depend greatly upon the presence, and character of fossils includ-

ed in the rocks (there being little else to depend on) for identifying groups of beds (for single beds they are commonly too uncertain a means); and geology so called has therefore become in very many cases almost a mere study of fossils, or paleontology. It is a study undoubtedly of great interest and value, but especially so as leading to a better understanding of the history, nature and mutual relationship of organized beings. For the identification of neighboring exposures of the same bed, the presence and character of fossils as well as lithological resemblances or other peculiarities, such as the relative thickness and position of different layers, are useful and are not to be rejected in the topographical method; but for that no profound knowledge of paleontology is required, and the fossils alone are commonly not sure guides. For identifying whole groups even, the topographical method in its more or less simple forms is usually the easiest and most satisfactory in studying the rocks of one country. But for comparing the rock groups of one country with those of another, widely separated from it by the ocean or by unexplored land, fossils give much the best means; and even their indications are to some degree uncertain in such a case, owing to the possibility that like groups of animals and plants may in former times not have inhabited widely different parts of the globe at the same time; just as there is at present some important diversity of character, and that not wholly climatic, in the animals and plants of different quarters of the world, and those of some regions appear to resemble those that have been studied from what may have been called a certain past age more than those of other regions do. Moreover the identification of such distant groups in a broad way, though interesting, is apparently of no very great immediate practical utility, in the way for example of showing what minerals are likely to be included in the groups of a new region; and such a sufficiently close identification of broad groups does not commonly require any very detailed paleontological research. It is also interesting and sometimes perhaps important to know whether given beds of rock are marine

beds or fresh-water ones; but a very thorough study of fossils is not necessary for that so far as they can decide the question at all. While therefore a knowledge of the relative superposition of beds, a very essential result of the topographical method in one form or another, and otherwise unattainable with certainty, is of great importance to the study of the relations of fossils, it is clear that fossils give far less sure, far less necessary, and far less valuable aid to geology. It would be absurd to write this in order to claim extraordinary merit for being one of the very few who have had some special experience in using the topographical method; for its use does not require exceptional ability. On the other hand having happened by mere accident to be of that small number it would have been blameworthy to fail to see the great advantages of the method and fail to insist upon its importance. There can hardly be any danger but that its value will be recognised by practical men of business in the long run, for by no other method can unexposed beds or veins of coal and ore or beds holding oil be opened or their extent within given bounds be calculated with any certainty at all.

The critic also says: "A great want is that of geological sections showing the structure of the island, and the manner in which the different groups succeeded each other.....and this is the more strange because it would appear that ample materials for rough ones at least have been collected." In my opinion it would have been useless with the materials at command to attempt any sections across the island. The dips ascertained are almost exclusively along the bounding seacoast line except in the Ishcari coal surveys; and in making a section almost anywhere across the whole island no observed dips could be inserted to show on the line of section the relative inclination of the rocks, their conformability or unconformability. Moreover the profile of the surface of the ground in such a section would be almost everywhere mere guesswork. Cross sections that would be in almost every part necessarilly so purely con-

jectural would be, it seems to me, no better in effect than the columnar section which already shows at the side of the colored map of the island the relative position of the different formations and their supposed relative thickness. It is certainly to be regretted that our information about the geology of Yesso is not more complete; but it should be remembered that our reports only give (aside from the special coal, oil, gold and railroad surveys) only the results of a very hasty reconnaissance of the Island, made (if you subtract the time taken up in those special surveys) in only about nine months (or say a season and a half) of field work mostly by myself alone in an island of over 30,000 square miles covered almost wholly with a wilderness very difficult indeed to penetrate.

The past winter in addition to the proper office work of our survey some of our assistants were allowed at the request of the Colonization Board (Kaitakushi) to complete the labelling and arrangement of its collection of rocks and other mineral objects, which we had had to leave unfinished two years ago. Accordingly from 17th December through January (and indeed until 11th April, 1878) Mr. S. Maeda, who had formerly been particularly charged with arranging the minerals, spent every other working day at the Kaitakushi Museum; and was aided by Mr. Adachi, who attended there daily until 7th April. The arrangement (though I gave the matter no special attention myself) by depriving me of an already trained copyist lessened decidedly the effectiveness of my own labour throughout that long time. In the winter season the mapping (on a scale of $\frac{1}{250000}$) had in many parts advanced so far that the geology had to be studied out, partly by the assistants and partly by myself. The curved lines of strike were first roughly drawn by the help of the scattered observations already marked on the maps. Then section lines, were selected about at right angles to the strike and with as many of the observed dips as possible near to them; and especially passing through the midst of the various close groups of oil wells. Such groups had commonly to be drawn on a larger scale

($\frac{1}{1000}$), and to be studied with very great care. The rocks of each well had been inquired about as thoroughly as was possible; but it was found that no written records, except inexact ones in Tootoomi, had been kept by the well owners, and only memory could supply the details. Of the older wells sometimes nothing was known, except perhaps their depth, or whether they had yielded oil or not; of the later ones information was given of the different depths at which oil had been struck, and sometimes the nature of the rocks passed through and the thickness of the different beds. But there was great inexactness, it is feared, on some points. For example, oil was often reported as coming from the bottom of a well, whereas it may really have issued from a point some feet higher up, so that after digging a little deeper without increased success the well was considered complete. Again, the depth of the different points was given in fathoms, and it is known that although the fathom may be taken as six feet near the top of the well it is very apt to be reckoned much shorter on digging deeper, so that five feet for instance, may sometimes be the real fathom. The rocks too although very closely observed and separately named for very small differences by the well diggers would appear either to be diversely named within very short distances or not to be very constant in such minute characteristics. Consequently it became in many places, where observed dips were lacking, very difficult to make out the geological structure from the sections of the wells, especially in places much disturbed by small and sharp folds in the rocks; but in other places the result has been pretty satisfactory. It is probable (as we have already found to be the case in Tootoomi) that in the more doubtful spots a renewed search for rock exposures and dips (if necessary, with the help of a little digging) where they are particularly needed for clearing up the obscurities will meet with good success. In some places for a considerable distance the oil seems to come from certain thin layers or seams in the rock, which correspond well in relative position in whole

groups of wells and in neighbouring groups. Probably the correspondence would be much better, if the record of the wells had been more exact. But in each region, so far, the oil has been found to come wholly from a comparatively small thickness of rock beds, say 200 feet or at most (in Tootoomi) 400 feet; except that at Matsuyama there is a secondary smaller group of oil bearing beds. The geology of the Tateno region has not yet been worked out. Although there may be some difficulty, then in defining accurately the place of separate thin layers and seams rich in oil, there will apparently be in general no serious trouble in ascertaining with some precision the position and outcrop of so large a group of beds as one 200 feet in thickness containing oil bearing layers here and there throughout it, and that for some little distance from the present wells; so as to widen essentially the field of well digging operations and give them much greater certainty than they have hitherto had. Of course the same group of rock beds may be rich in oil at one point and grow gradually poorer to absolute barrenness at a distance; and it would therefore be safest to dig the wells only gradually further and further from the spots already known to be rich in oil. However in Echigo, it may be possible to know the position of the oil bearing rocks throughout the somewhat long spaces between the different groups of wells of each large region, and by sinking a well or two in the middle of such a space find out whether the beds are rich there too and consequently probably continuously so. It seems already very likely indeed that the space for well digging will be much enlarged by our surveys and the certainty very greatly increased.

Some idea, by the way, of the profit of oil wells may be got from the following apparently trustworthy table which was kindly given me in January last, and more lately corrected, by Mr. N. Sakuma, a Yedo merchant who is interested in the Tootoomi oil wells.

Supposing a well to be 300 feet deep and to have been dug in three months at a cost of 300 en (about the average

depth, time and cost, it is said) ; the yearly expenses and income in drawing out the oil, refining it, putting it in cans, carrying it to market and selling it are reckoned as follows for an average yield of five shoo (two gallons) a day or a barrel (koku) and a half a month or 18 bbls. a year.

Expenses :	*En.*
Drawing out 18 bbls oil @ 41 $\frac{91}{100}$ sen	7·418
Carriage of 18 bbls oil from well to refinery @ 41 $\frac{91}{100}$ sen for 1 horse load of 8 too.....	3·359
Refining 18 bbls oil @ 88 $\frac{91}{100}$	15·993
Amount of distilled products, 90 per cent..... .....16·2 bbls. (koku)	
Loss in distilling 10 per cent... 1·8 bbls. (koku)	
Number of cans, @ 1 too each.. 162 cans	
„ „ cases, one for two cans..... 81 cases	
162 old tin cans @ 10 $\frac{91}{100}$ sen.....	17·383
81 wooden cases for cans @ 4 $\frac{4}{10}$ sen.....	3·564
Carriage of 81 cases oil from Sagara to Tookiyoo @ 9 sen.....	7·290

Income :

The distilled products and their estimated average selling price are :

Naphtha.....	3·24 bbls.	@ 3·00 en a case		48·600
White oil	11·14 „	@ 3·30 „	„	184·140
Heavy oil....	1·80 „	@ 2·00 „	„	18·000
				250·740

Yearly income.....	195·733
Monthly income.....	16·311

If we suppose then that the well keeps up the average yield of two gallons 5 shoo during 18 months and 11 days, the first cost of the well (300 en) would be recovered if we leave the interest on the capital out of account. But considering the value of money in Japan and the unavoidable uncertainties of oil wells one and a half per cent a month is the very least interest that ought to be reckoned on. The monthly interest then on 300 en would be 4·50

en, amounting in the three months of digging the well to 13·50 en which would make the cost of the finished well 313·50 en. We should have then :

Monthly gross income	16·311
Monthly interest on 313·50 en @ 1½ %	4·702
Remainder.....	11·609

which could be applied to extinguishing the capital, and would accomplish that result (bearing in mind that with the gradual diminution of the capital the interest charge would be less every month) in about 23 months. It must also be remembered that in the 300 en of cost some incidental expenses are not counted, such as managers' salaries, office expenses, rent to land owners and other items. Of course there would be a slight advantage in the fact that the oil well would at first, and especially for the first month or two, yield more than the average ; in that way lessening somewhat more than proportionately the amount of the subsequent interest charge.

The average yield of a well has never been very exactly ascertained ; but from information gathered for me in May, 1877, by Mr. Adachi, it appears that out of the 53 wells, that had then been dug nine (or one sixth of the whole number) had been quite barren, and ten had ceased to yield, and the 34 others in April, 1877, yielded 78·2 lbs. (koku), or an average of 24 too (or 96 gallons) to each well, or a daily average of 3⅕ gallons (about 7¾ shoo); and the greatest daily yield of any one well in that month was 5·2 gallons (1·3 too). Of the 44 wells that had yielded oil the greatest first yield had been 4·2 bbls in a day ; and the average daily yield at first was 6¾ too (27¼ gallons).

If we consider the 34 yielding wells to be equally distributed through all stages of progress so as to represent one well in as many different stages and allow one sixth for wells originally barren we should get as the average yield of a well 19¼ too (76¾ gallons) a month, or 6¾ shoo (about 2¼ gallons) a day. As the wells are not evenly distributed throughout all stages of progress, and the newer ones are more numerous than the older ones, it

might be supposed that the average just obtained would be too high; but the whole number is too small to give so very exact a result and the older wells, as it is happens, really neither diminish nor increase the average perceptibly. The average daily yield of a well then, as near as we can judge, would appear to have been (roughly) about five pints ($1\frac{2}{3}$ shoo) or 28 per cent. in excess of the five shoo of the well of which the table reckoned the outlay and income. That excess would amount in the 23 months to 9·66 bbls. (koku) which would give, according to the table, an additional income of 8·76 en, or nearly three per cent. on the capital of 300 en originally invested, or about one and a half per cent a year for the two years (26 months) from the beginning of the outlay.

Again, supposing (somewhat incorrectly) that the 34 yielding wells are the ones that remain from a series whose dates of beginning were uniformly distributed from the outset, the average time from first beginning to yield until April, 1877, would give a rough idea of the average age of a well or of the length of time throughout which one well would daily yield the $6\frac{2}{3}$ shoo of oil. From the time of beginning to dig each of the 34 wells until the middle of April, 1877, the average period is about 38 months, from which subtracting three months as the supposed average time needed for the digging (and likely enough owing to interruptions in the work the time was longer than that), we have 35 months (at the most) as the average length of the period of the average yield. That is just a year in excess of the 23 months hitherto calculated and the average yield for a whole year should, then, be added to what has already been reckoned. The net income for one year would amount, according to the table, for a daily yield of $6\frac{2}{3}$ shoo to $250{\cdot}53\frac{1}{3}$ en, or about $83\frac{1}{3}$ per cent. of the original capital, which added to the 8·76 en or three per cent. already found in excess of the required 18 per cent. would make 259·30 en or about $86\frac{1}{2}$ per cent. of the first capital. Out of this sum (it must not be forgotten) are to be paid the "company's expenses" not counted in the table, such as the salaries of managers and agents,

office expenses, rent to village landowners (formerly reckoned at five per cent. of the crude oil), government tax or royalty, loss of oil by drying up or leakage (once estimated at five per cent.) and all other incidental expenses and contingencies aside from the mere contract cost of digging the wells. Probably those expenses including interest up to the time of their repayment would amount to at least as much as seven en a month for each well (or seventy en for ten wells) or about one-third of the gross income; so that a little more than the whole of the 259 en would be swallowed up in 38 months; and the final result of the enterprise would therefore be equivalent to the return of the capital and its interest at 1½ per cent., during the 26 months. Considering, then, the commercial uncertainties of working oil wells, quite in addition to the geological and industrial ones just now considered, the whole business can at present hardly be considered by any means equivalent in profit to a moderately well secured loan at 18 per cent. a year. The selling price of the "white oil" in the table (3·30 en) is rather higher than the real average in Yokohama for the four months from February to May, 1878, which according to the weekly newspaper reports was about $3.13; but is lower than the average for the year from June, 1877, to May, 1878, which according to the same reports was about $3.58. It is however very probable that those averages are estimated too high; for it is likely that the sales at the higher prices of the weekly reports are much smaller than those at low ones, though there is no statement to that effect, and the average price brought by the whole quantity sold in four months or in a year would therefore be lower than the averages just given. The fluctuations in price are very great, sometimes twenty-five per cent, within two weeks; and it is impossible to judge with much probability in advance whether the present average price will be maintained for another half year. The price depends wholly upon the supply from abroad; since the product in Japan is but a small portion of what is consumed here.

Increased profit would seem to depend in great part upon digging the wells at an average less cost than the 300 en each (making them in general, then, less than 300 feet deep, or else by improvement in the lighting or other details making the work more rapid and still cheaper than now); or in more seldom digging them quite unsuccessfully; or in obtaining from them a greater average yield than $2\frac{1}{2}$ gallons ($6\frac{2}{3}$ shoo) a day during 35 months; or in refining the oil at less than the cost estimated above; or in getting a better price for the oil than the 3·30 en. We hope by our surveys and maps to show the outcrops and position of the oil bearing beds with such exactness that the number of wholly unsuccessful wells will be fewer; that their depth may not be unnecessarily great, and that their average yield may be as large as possible. Under such circumstances we trust that with very economical management there may be a reasonable profit in working the wells.

But the item of expense that is open to by far the greatest improvement is the cost of the first capital; for, if the capital could be borrowed at a comparatively low rate, at six per cent. a year, for example, there would be great inducement to undertake the necessary risks in order to obtain the eighteen per cent. of profit (and money entrusted by shareholders to the managers of a company in hopes of gain is in most respects like money lent for interest). A like remark would apply to every other form of industry as well as to the working of oil wells; and it is evident that the greatest obstacle to industrial progress in this country is the dearness of money.

It is very important, then, to consider why money is so dear and what are the steps to be taken in order to make it cheaper. The cost of borrowed money depends partly of course like the price of any other commodity on the supply in comparison with the demand; and that might at first be supposed to be the only cause that makes money dear here. Yet it is incontestable that a very much larger supply exists than is made use of, and that even extravagantly high rates of interest are insufficient to draw from

their hiding places hoards of money, that in many cases are considerable in themselves, and that in the aggregate would amount to a vast sum. The reason is clearly to be found in the special force of the well known fact that "a high rate of interest is only another name for insecurity. Men naturally prefer to let their money lie idle rather than to run the risk, of losing it by lending, unless the expected profit is very great indeed; and it is declared by everybody in Japan that the experience of some years past (and perhaps still more so of former times) has been extremely unfavorable to confidence in lending capital. Such loans they say have almost invariably been lost, either through fraud with the help of the new bankrupt laws, or through the gross lack of business skill in the borrowers.

It is in vain to hope to remedy such evils by concealment or by avoiding their consideration, or by the enactment of laws against high rates of interest. Laws of that kind cannot force men to lend money; and, if the legal rate be too low, the money will either be left idle, or will be lent at a rate high enough to cover the risk of suffering the penalty of the law in addition to the other risks of the loan; money will be lent at the legal rate only in the cases where the security would of itself be sufficiently good to justify it. Something may be urged in favour of bankrupt laws that shall protect debtors of innocent intentions against merciless pursuit from their suffering creditors, and that shall throw upon the lender the burden of considering at least the risk that may arise from the unintentional mistakes or misfortunes of his borrower, and that shall relieve the government so far as may be from the expense of punishing insolvent debtors without hope of immediate advantage. But it must be admitted that it is hardly possible for the government to take too much pains to prevent fraud on the part of borrowers of money, that it is in fact as necessary to prevent such fraud as it is to prevent loss of property by theft or otherwise. It is therefore of the utmost and most direct importance to the oil working and other industrial interests of the country that the

courts of justice should be of the greatest purity, and that the laws against fraud as well as against the improper alienation or destruction of property in other ways should be of the wisest character possible, and that the means of detecting fraud should be perfected to the highest degree.

One of the most valuable and effective of those means is a proper way of writing up money accounts; and the introduction of the best modern methods of book keeping, already begun, cannot be pushed forward too rapidly. Under the old extremely imperfect system, a fraud could neither be very clearly detected nor an accusation of it very satisfactorily disproved; all was uncertainty, beyond what reliance might be placed in the personal integrity of the individual to whom money was entrusted. In such a state of things the very idea of integrity or probity must necessarily have been comparatively vague, the sense of pride in possessing it or of shame in lacking it must have been comparatively blunt; because either fact could not be known with much certainty to any one, and there must consequently have been wanting not only pefectly well grounded reputation, or the respect of others, but its highly useful reaction on a man's self-respect and character. Moreover, under the old loose methods of accounts, quite aside from all questions of integrity, there must have been in a business man's own mind comparative obscurity as to the state of his affairs, as to the profits or losses of any particular branch of his concerns; so that, although special genius might overcome such obstacles, mercantile skill and prudence must have been much less likely to exist. Most happily, then, the same excellent means that tends very greatly to prevent fraud by facilitating its detection when it occurs, favors in a very high degree not only the formation of good business character, but also the acquirement of good business habits, prudence and skill, tending therefore in many ways to make capital more secure. If the laws and the courts are besides wholly satisfactory, it can hardly be doubted that money could readily be

obtained for oil working or for other industrial enterprises.

Indeed, so far as my observation goes the public seem already very eager to engage in oil and other mining enterprises, having if anything, only too sanguine hopes in regard to their success. I see therefore no need whatever that they should be encouraged to embark in such undertakings by the government's setting them the example, or lending them capital at very low interest, as it is sometimes urged that they should. It is true that the government can obtain capital on much lower terms than most private individuals; for its credit is good, men have faith in its persistent intention to repay what it borrows, and they are therefore willing to lend it a portion of their hoards that must otherwise lie idle or be entrusted to far less responsible parties.

The fact, however, that industrial works should be undertaken under such specially favorable circumstances, instead of encouraging the public to make similar ventures, would tend rather to discourage all efforts on the part of outsiders to compete in the same field; so that the favored operators would, so far as home competition is concerned, have practically a monopoly, and, if they were private parties, would in human nature make the most of that advantage to the ultimate loss of the community at large.

But even if the government's (or its favoured borrowers') competition in industrial and mercantile matters on terms so peculiarly advantageous, should not be deterrent to all others who would like to become operators, there are very strong reasons why the government should avoid as far as possible the turning itself into a miner, manufacturer or merchant. If industrial enterprises are managed by government salaried officials, however honest may be their intentions, the invaluable incentive of fear of hunger is lacking to make them (like private parties working with their own means) to the utmost degree cautious in the transaction of their business and eager to gain the greatest skill. They do not as the private operator does, give their whole life to learning one particular

branch of business; but only temporarily take charge of affairs that really need a life long devotion. Consequently such government works are extremely apt to be managed in a comparatively easy going way, even if not with downright dishonesty; money from the ample store of the government is likely to be laid out either with too great freedom or with unskilful parsimony, leading often into "a penny wise, pound foolish" course that is enormously wasteful both of opportunties and of means. Such has always been the experience in western countries, and there is no reason to suppose that circumstances are especially favourable to very different results here.

Even as a means of instructing the public in new or imperfectly known industries the exceptional cheapness of the capital employed would to a very great extent vitiate the teaching; especially so if you consider also the fact that in government works the cost of labour is apt to be higher than in private ones. The essential aim of engineering is to accomplish its ends with the greatest possible profit; and of course the methods that are suitable with cheap capital and dear labour are quite different from those that are required by dear capital and cheap labour. For example engineering or industrial methods that are profitable in England or even in America may be wholly unsuited to Japan, where capital is much dearer and labour much cheaper. In those western countries an outlay of cheap capital that will effect a saving of labour may often be advisable; but here the cost of the same capital may be much greater than the cost of the labour saved would be. In the same way cheap capital increases the desirableness of permanence and durability of construction, where dear capital might advantageously accept the alternative of more frequent repairs and renewal. Truly skilful engineering, then, requires first of all a consideration of the relative cost of capital and labour, and cannot tolerate a blind following out of methods however well adapted they may have been found to be to the circumstances of a different country. There would of course

be a like difference between the methods that should be followed here under the very unusual conditions of cheap capital borrowed by the government or from the government, and of the rather dear labour of government works, and those that should be followed under the ordinary conditions of the general public; so that the practice in such favored enterprises could not always serve directly as a pattern for others.

It may be urged that if the nation through its government can borrow capital more cheaply than private individuals can it might still be profitable on the whole to carry on all industries through the government. But the wealth of the richest government is insignificant in comparison with that of its subjects; its credit would not enable it to borrow a tithe of what would gladly be invested in industrial enterprises, if the security of capital should be increased in the ways already suggested; it would be much easier to effect that security than it would be to ensure the proper use by government agents of such vast sums of money as would be necessary; and the increased security itself would probably make capital cheaper to the public generally then it is now even to the government.

I cannot, therefore, consider it foreign to my duties to insist that the most efficient means of promoting the oil and mining and other industries of Japan is to be found first in the improvement of its laws, its courts and its schools; and next, it may be added, in the carrying out of such public improvements of roads, and of river and sea navigation as are beneficial more or less directly to all the public by lessening the cost of carriage; and furthermore, as regards oil wells and mines, in the lessening of their uncertainties as much as possible by geological surveys. These are all undertakings that no one will say may not fall legitimately within the scope of the government of a country, because they are for the benefit of the whole people and the government can carry them on to much greater advantage than any private parties could. Some of them at the same time are obviously very essential both to the internal and to the external political well-being

of the state; and every one must admit that the last ten years' progress has been very remarkable. In improvements and public works of that kind there would seem certainly to be ample room for the exercise of all the intelligence, activity and means that the government can command. The extremely great importance of the subject is my excuse for touching upon one part or another of it so often in my reports, both in the printed Kaitakushi ones and in the unprinted ones handed in with our accounts on 30 August, 1877, and 1st April, 1878.

In studying out the geology of the maps the thorough familiarity of the assistants with the places they have spent so much time in surveying and mapping gives them a great advantage; for without special effort they carry in their head a thousand details that are taken up and borne in mind for a time with difficulty and easily forgotten again by one who like myself tries to help them occasionally at their work. But, although they are making good progress in learning to carry on investigations of the kind by themselves, their experience is still too short to enable them to do it quite alone. Nevertheless it is best for their training that they should do such portions as they can by themselves rather than that I should work out the geology continuously for them; and in fact it is probably even now a great saving of my time, for they are really very helpful. I am more than ever convinced that they will reasonably soon acquire the power of doing the geological part of their maps as independently and as well as they already do the topographical.

It should be mentioned that careful attention was given to the writing up of the accounts of the survey according to the plan of single entry with a ledger fully described in my reports of 30th August, 1877, and of 1st April, 1878. Last year Mr. Adachi under my instructions did the greater part of that work; but as he was occupied this winter at the Kaitakushi, his knowledge of the method and his time could scarcely be turned to account for the purpose. For a couple of days, however, he looked after the proper making out by the other assistants of the small

ledger accounts of the expenses of the different surveying parties; since, it has seemed to me very important indeed that each assistant should practically learn some decent method of accounts, and I have been confident that our simple mode would fully answer their purpose for the present and enable them at any future time to acquire with comparative ease the more complete system of double entry. For the rest, Mr. M. Maeda, our chief accountant, amiably and sensibly throwing completely aside the old Japanese ways of account keeping so called, patiently and zealously worked over his books under my teaching, until they were brought into as satisfactory a shape as was still possible, and until he had become so well acquainted with the system that in future there will probably be no further difficulty nor delay.

Besides that work I had expected in the winter season not only to map out on a reduced scale my own rough road sketching of the journeys but to write up both this report and special reports on the different mines I visited during the summer and autumn. The road sketching had fortunately been mostly reduced before returning home; but in the short period of working time left in December and January only little progress was accomplished with the remainder owing to the other duties already mentioned, especially with a dozen active, eager assistants asking frequently for guidance in the solution of difficulties that arose in their work. The proper discharge of those duties alone is about enough to keep one man pretty fully occupied, and it is hard in addition to undertake work that of itself is serious enough to absorb his whole time and attention. You might as well expect your coachman to drive six spirited horses and at the same time to trundle a heavily loaded wheelbarrow along a narrow path.

Tootoomi Journey.—The trip to Tootoomi was undertaken in order to make the first reconnoissance of the oil lands there preliminary to a survey by some of the assistants. The road thither was chiefly along the famous Tookaidoo; at first north of the neck of the Uragawa peninsula about five leagues south-westerly from Kanagawa

to Hujisawa, among and across low hills of comparatively recent light gray sand rocks exposed with a dip about level near Kanagawa, and as I conjectured not very different in age from the Toshibets group of rocks in Yesso, and the oil bearing rocks of Echigo. In coming back from Tootoomi this year by sea, the rocks along the coast near Uraga (seen with a spyglass) seemed to show that nearly or quite the whole peninsula was made up of the same rocks; but they had various dips from very steep ones at the south end to the wide spread nearly level ones towards the neck. Dr. E. Naumann (Zeitschrift der Deutschen geologischen Gesellschaft, XXIX: 368) mentions a small mountain some 700 feet high southerly from the town of Uraga that is "doubtless [old] volcanic." Then we travelled about five leagues more, westerly along the lowlands near the sea shore, on the border probably of the same rocks but with only one exposure of them noticed (about midway, beyond Ooiso) with a dip of 45° north-easterly, to the foot of the Hakone mountains just beyond Odawara; then eight leagues south-westerly across the mountains of old volcanic rocks with moderately steep dips north of the neck of the Idzu Promontory past the town and lake of Hakone to Mishima. This year in making the same journey to Tootoomi, instead of going by Hakone, I went round by Atami on the south-east coast of the Idzu promontory, seven leagues from Odawara and five from Mishima; and likewise found the rocks everywhere to be old volcanic ones with dips of middling steepness, mostly north-easterly and south-westerly. No doubt the whole promontory is made up of similar rocks; and I had distant views of those at the southern end in returning by steamer a few days ago. At Atami there are half a dozen hot springs most of them boiling and tasting like diluted sea water; but one of them is somewhat cooler and is a weak sulphur spring. Two close together are intermittent, issuing for about an hour, about once in four hours, about two, six and ten o'clock; but sometimes an hour late, and heard gradually approaching by fits and starts for an hour or so beforehand. One spring is said formerly to have

issued more strongly when the name Seizaemon was called out; which reminds one of the effect of sounds, especially hissing ones, on some gas flames and water jets. At Takinoyu half a league north-easterly of Atami there is a hot sulphur spring. There are also some hot springs, it is said, at Shuzenji a few leagues southerly from Mishima. From Mishima the road passes westerly through the low land near the sea for sixteen leagues to Shidzuoka and, (except the hill of the Uchinoya tunnel about three leagues beyond) nine more west south-westerly to Kanaya, a village near the south-western bank of the broad and rapid Ooigawa, that used to be so celebrated for the difficult and crowded ford, but that is now crossed in ferry boats and sometimes by a bridge. About half the way from Mishima to Kanaya, though mostly alluvial, would seem to be in a region of old volcanic rocks around the base of the Hujiyama, but there is only one or two doubtful exposures with a level dip near Numadzu, a league or two beyond Mishima. Midway near Yui, the road runs along the sea shore at the foot of a mountain with a number of exposures of chiefly a very hard coarse dark brown and light greenish gray sand rock with well rounded unmistakable Kamoikotan pebbles up to a foot in diameter and the rocks may possibly be of that group, though I took them to be of the Old Volcanic group. The dips there are steep, 45° to 75°, westerly north-easterly, and a similar pebble rock half a league further on, at Yokosuna, just beyond Okitsu, dips 45° S 50°E. The other half seems to lie among much older highly metamorphosed rocks probably corresponding in age to those that we classed together as the Kamoikotan group in Yesso. The exposures occur especially at and near the Uchinoya tunnel; and the dips are steep, from 45° to 90° north-westerly. From Kanaya the road leaves the Tookaidoo and goes south over a wide high Old Alluvial table land the Kanaya Hara or Kanayappara, some 500 feet or more above the sea, five leagues to Sagara-Hadzu-Hukuoka on the coast, the principle town (some 3,500 inhabitants) of the Tootoomi Oil field. The

Hara is a very wide plain without forests, and on account of dryness rather barren looking with little more than short grass, though the soil is not bad and in many places is rich. Water is rare, and is commonly brought to the few scattered houses from the neighbouring steep sided hollows that cut into the table land on its borders. It has however of late years been found a good place to grow tea and already some 1,250 acres (500 choo) of it are said to be under cultivation in that way. Beneath the soil there is a variable thickness (perhaps fifty feet or more ?) of coarse alluvial gravel with large (fist size) rounded pebbles of Kamoikotan rocks, as they appear.

The rock oil has been found in the valleys and lower hills within a distance of about two leagues and a half north and south-west and half that north-west of Sagara ; but especially at Sugegaya, about one league north-west, where most of the wells have been dug. The working of the oil is wholly a very new thing. It is said that only half a dozen years ago, an old woman living in the neighbourhood called attention to the fact that there was at Ebie north of Sagara and at other places a liquid issuing from the ground with a very strong peculiar smell ; and that led to bringing Mr. E. W. Clark, a young American, at that time a teacher at Shidzuoka, to look at the springs. As he found them to yield in fact rock oil, experienced oil well diggers were brought from Echigo and two or three wells were dug at Ebie with a little success, but so little that they have long since been abandoned. At Sugegaya, however, where the oil was discovered later, the result of digging was much better and the number of wells was greatly increased. At the time of our visit last year 53 wells had been dug, over forty of them there, but a few at other points in the region. Very soon after Mr. Clark's visit the enterprise was taken in hand by Mr. Ishizaka and his oil company, and vigorous search was made for traces of oil in all the country round, and rewards were practically offered and paid for such discoveries ; and it is even said that sometimes

oil was deceptively poured upon the ground in order to get the reward. Consequently working leases were taken out, for a number of spots that were called oil lands, but that prove to bear no oil; and I visited a number of oil places so called which as it turned out had merely been conjectured to be good points to dig wells, but where there was not the least trace nor sign of oil.

Near Sagara, I saw the Ebie, Ogami, Sugegaya, Jitoogata, Shiraha, Asahina, Saisanji and Shirai oil wells or traces of oil. Those were the only genuine oil places then known in Tootomi, and are all included in the survey undertaken later in the season by Messrs. Sugiura and Ban. The rocks of the Sagara oil field are mostly soft greenish gray shales and sand rocks that weather brownish, sometimes with bean size pebbles: but at Ogami and the adjacent Megami there are small hills and large cliffs of a buff limestone. It is possible that the limestone may be of Kamoikotan age, thrust up from below; but (though no fossils have been found in it and the fact of conformity in bedding is not yet perfectly certain) I think it is of about the same age as the shales and sand rocks that bear the oil, and that they all agree in age with the Echigo oil bearing formation, and probably are neither much older nor much newer than the Toshibets group of Yesso.

At Hirata, close to Sagara, I also visited the oil refinery set up about five years ago under the guidance of men who had already refined oil in Echigo, and I found it refining the whole product of the field, some seventy-five barrels (koku) a month, a yield increased this year to about 100 barrels a month or one third of the capacity of the refinery. It is therefore probable that there is some mistake in the rumor that an oil refinery has been set up at Hiôgo with the expectatiom of refining Tootoomi rock oil; especially as that oil comes much more conveniently to the Yokohama market.

The oil of Tootoomi is much lighter than most of the Echigo oil, and not at all thick like some of that, and has generally a rather light brown color and a pale bluish

opalescence. The lightest oil is at one of the Sugegaya wells (No. 14) and when freshly raised (May 1877) marked 59° with the "hoktometer" (the Japanese copy of Beaumé's hydrometer); the oil of the No. 8 well marked at the refinery 53°, but was said to mark 56° when freshly drawn out from the well; at No. 41 the oil after standing half a dozen hours marked 51° and the average oil fresh from all the wells and all mixed together is said to mark 48°. It was said at the refinery that the average oil yielded 20 per cent. of naphtha, 60 per cent. of lamp oil; ten per cent. of heavy oil of a dark brown color (which is also washed, and is sent to Yedo to be mixed with fish oil and sold for lighting purposes), and ten per cent. of refuse. The following are results of an examination by R. W. Atkinson, B. Sc., F.C.S., Professor of Applied Chemistry in the Kaiseigakkoo (now Tookiyoo Daigakkoo) on two specimens of crude oil said to come from Tootoomi, as reported by him in September, 1876:

	I.	II.
Specific gravity at 0° C.	0·7916	0·8241
„ „ „ 50° C.	0·7540	0·7874
Expansion from 0° to 50° C.	0·0498	0·04655
Distillation:		
To 100° C., per cent. (by weight)	20·8	2 34
100° C. to 156° C. „ „	34·4	29·44
150° „ „ 200° „ „ „	30·5	34·44
Above 200° C. „ „	5·1	11·80
Non volatile „ „	9·2	21·98
	100·0	100·00

I may add that a specimen of oil said to be refined in Tootoomi examined by him at the same time proved to be of very good quality and extremely safe, having its "flashing point" at 120 F. and its "burning point" at 138° F., both quite as high as could be wished; and I see no reason to doubt that the sample was a fair average one of the product of the Tootoomi refining. The oil is put into old "Devoe's cans;" but evidently without the least idea of deception, and merely because they can be bought

at a lower price than any other equally suitable receptacle.

Besides the oil industry, salt is made from sea water on the beach near Sagara, by sprinkling the water on the sand and after drying leaching out the sand in large tubs, and finally boiling it down with a wood fire. About 100 parties, or say 200 individuals, work at the business in favorable weather and each party makes in a good day about two too of salt, occupying about six-tenths of an acre (or 2½ tan) of the beach. There are perhaps seventy such days' work in a year; so that the whole yearly product of one party would be 14 koku, or of all the 100 parties 1,400 koku. That includes the beach from Sagara, about a league southerly; but there is also salt made (I know not how much) to the northward towards Kawasaki a league distant. It is evident that salt making might create a small market for stone coal, as wood does not seem to be very abundant in the region owing to the very wide open hara, and as coal could be brought by sea. The chief agricultural products of the neighborhood are tea, next sugar (also needing fuel) and of course rice.

From Sagara I returned to the Tookaidoo, at Nissaka a league and a half beyond Kanaya, and went to see the supposed traces of oil at Gembei and Tobikomizawa, about half a mile from Nissaka on the north side of the Tookaidoo. At Gembei we could find no trace nor smell of oil, but some particles of coal which seemed to be merely the remains of separate plants scattered through a soft greenish gray shale. At Tobikomizawa also I could perceive no smell of oil in the rock, though the guide fancied that he could a slight one, and he explained that as there was a cliff some 20 feet high of gray shale and sand rock there it had been thought that "such a cliff must exist for oil"—so sanguine had men been! There was here also a very little coal, black and shining, probably the remains of only one small plant; and perhaps the expectation of finding oil had been based on its presence. The rocks at both places are no doubt of about the same age as the oil bearing rocks near Sagara, and as those of Echigo which

also contain a little coal in some places, black, shining "brown-coal," (in some places fibrous lignite), and as already mentioned probably do not differ greatly in age from the Toshibets group of Yesso.

From Nissaka we came, then, along the Tookaidoo to Hujieda about 2½ leagues this side of Kanaya; and I visited the two wells (ten fathoms and three or four fathoms deep) dug for oil about half a league apart in Yainaba, about a league and a half west of Hujieda; and one of the two wells (20 fathoms and 40 fathoms deep) in Uchiseto, about a league and a half west south-westerly of Hujieda. At all four places it was said that before digging (about 1875) there was a smell of oil, but no oil was found and even the smell disappeared (if it ever really existed). About half way between those places and Hujieda I also visited a place which had been supposed to be a good one for an oil well, but where there was not the least sign of oil, not even a smell of it to be found; the promising feature seeming to consist apparently in merely a good exposure of rock. Fortunately, no labor had been wasted there in digging. The rocks seen in all those villages were soft greenish gray sand rock weathering brown with dips of some 30° north-westerly and south-easterly; and they belong probably to the same general group and age as the rocks of the Sagara oil field. From Yawatabashi, on the Tookaidoo half a league this side of Hujieda, I went half a league off the road easterly to the village of Echigojima, where (about 1865) in a wide plain of New Alluvium, 600 yards from the nearest low hill, a well dug for water, wholly in soft alluvium, sent out gas that made a flame some six feet high above the ground. The hole was filled up and the gas stopped issuing. Another well eight fathoms deep was dug for water only six yards distant to the north without finding any gas. But at a house just across the road to the south a well dug about 1873 yielded gas in the same way and the flow was stopped by filling up. Such gas might conveniently have been utilised in the way it already is in

Echigo, as mentioned in my Report of Progress of last year; but the uncertainties in regard to the position and richness of the underlying rocks which no doubt have yielded the oil from which the gas was formed, make it hardly advisable to dig deep wells in search of oil; the more so as probably there would be some hindrance from water. It is extremely probable that the underlying rocks and very likely those of the neighboring low hills also belong to the same age as those of the Sagara oil field.

On the way home from Tootoomi we also in passing through Okitsu four leagues this side of Shidzuoka gained pretty full and evidently quite trustworthy information from an official, well acquainted with the facts about the so called oil place of Hirose village in Suruga, about a league from Okitsu. It turned out that there was no oil nor smell of oil there, and the story of there being oil undoubtedly originated in the fact that a little bed of coal about half a foot thick had been opened. It was described as being completely black and burning in the fire with a smell; and was probably such black shining coal as is found near Nissaka in Tootoomi, and in the oil bearing group of rocks in Echigo. It had already been clear that the country people of Tootoomi likewise confounded coal and "coal oil." Without turning aside, then, we came home to Yedo.

The Long Journey.—Just before my setting out for the oil lands of Akita Ken it was suggested to me that I should first go north along the eastern side of the island and then cross over to the western side from Morioka, the capital of Nambu, so as to visit several of the principal mines of northern Japan on the way; and I gladly consented in hopes of gaining some better idea of the geology of the region, and of finding perhaps a suitable field for the exercise of the geological and topographical skill of my assistants after the oil survey should have been finished.

Starting then from Yedo on the thirteenth of July Mr. Adachi and I went northward by the Oshiukaidoo, at first through the wide alluvial plain of the Tonegawa.

From Utsunomiya to Ootawara, however, we left the main road on our right and hastily visited the mountains around Nikkoo, finding them to be apparently of Old Volcanic rocks, and to contain many veins of metallic ores, copper pyrites, galena and zinc blende. Six leagues and a half westerly from Nikkoo are the old Ashio copper mines, worked for 300 years it is said, and formerly reckoned rich and still worked on a small scale with a little profit it would seem. We did not go so far out of our way to visit them, but made as careful inquiries about them as we could. We were told that the ore was chiefly copper pyrites, but partly variegated copper ore; that there were some fifty veins nearly vertical; that the principal one varied in thickness from one-tenth to five-tenths of a foot thick, averaging three-tenths; that it had been mined for a length of half a league and in some places to a depth of twenty fathoms below water level, with little trouble from water though they have no pumps. Judging from the horse loads of copper brought out by the way of Nikkoo (until lately it had been sent out, by way of Jooshiu) the monthly product is about 1,000 kamme (nearly four tons); the product of about 100 men's labor including furnace-men and charcoal burners; an average, say, of twenty-five dollars a month to each man. If that be not a very exaggerated estimate the profit to each man must be uncommonly good, as compared with the other mines of the north.

We were told also of the Sagebu silver lead mine, six leagues north-easterly from Nikkoo where the vein of galena was said to be two feet thick and to have been worked nine feet long by six high, apparently therefore a new and very important mine. So I took it on my way forward; but was much disappointed to find that it was an old mine worked to the length of 18 fathoms and abandoned so long ago that it is not known when, and lately reopened and that the vein had at the face of the old workings little or no ore though at the thickest point of the new workings near the mouth of the old drift it was 12 ft. thick, but not all pure galena, and

within three feet only about half as thick. The vein is vertical and runs about north-east and south-west. The lead is represented to yield four tenths of one per cent. of silver. At Kobiyaku village near by is an old copper mine worked some forty years ago and abandoned; but taken up again in the spring of 1877. I did not go to it; but it was said that the thickness of the vein could not well be made out, that the vein was vertical, running north and south, with yellow ore (copper pyrites), containing also gold and silver. The men of the neighborhood seemed to be too sanguine to give their ancestors credit for intelligence enough to keep on working those old mines at a profit. Of course this reason and that are given why the mines were abandoned in spite of being rich; but if they had really been rich, it is hard to believe, that they should not have continued to be worked; for even if the owner had been temporarily in some distress, he could hardly have had a readier means of getting money than selling a mine that had a good reputation; and in those old times too no doubt there were plenty of sanguine men to take hold of any such enterprise that had the least shadow of a promise of success in it. In those days, moreover, copper was probably more valuable and labor cheaper than they are now.

Leaving the mountains therefore we returned to the main road in the wide plain at Ootawara; and shortly before reaching it found a fifty foot cliff of level bedded gray soft sand rock resembling that near Kanagawa; and thence we pushed on northward, crossing among low hills, just this side of Shirakawa, the dividing ridge between the Tonegawa plain and the less level valley of the Abukuma River, which reaches nearly to Sendai. Indeed there were but low hills between short cross valleys along the road even beyond, until we reached the main valley of the Kitakami River, and that was pretty level within a moderate width as far as Morioka. From Nikkoo and Sagebu to the dividing ridge near Shirakawa we had at a little distance on our left high mountains apparently everywhere of Old

Volcanic rocks, and where we came out from the hills and entered them again there were a few rock exposures, and near the dividing ridge, a number of exposures of level bedded soft brown Old Alluvium, as it seemed, apparently derived from the volcanic rocks. From a couple of leagues this side of Shirakawa to beyond Nihommatsu, however, the rocks exposed were whitish gray, chiefly very soft, apparently a decomposing syenite falling into white sand with quartz grains, feldspar and hornblende ; much like what I afterwards found in Mino on the Nakasendoo and in Kai (or Kooshiu) in a region filled with rocks that in Yesso we classed together as the Kamoikotan Group.

But around the Handa silver mines, a league north of the large town of Koori the rocks seemed to be Old Volcanic ones again, and not only have the ore vein of those mines but, it would seem, hot springs (which appear almost if not quite everywhere in Japan, at least in the north, to issue only from volcanic rocks): at Anabara one spring described as quite hot, with iron and sulphur, 1½ league south-west of Handa ; and 600 yards nearer at Iizaka many springs, said to be somewhat cooler and to have only a little sulphur and some iron. I spent a day in visiting the Handa mines. They are very old (a thousand years or more, as they told me) and are said to have been very flourishing, but to have been abandoned 300 or 400 years ago owing to having been worked as far below the lowest drainage level as the poor hand pumps would allow (220 feet). The working of the mine was begun again in 1870. As the old drainage level was hopelessly broken, and another 270 feet higher was also broken the mine was full of water up at least to that upper level, which, however, they are reopening. In the accessible parts of the mine the good ore had almost wholly been worked out by the former miners, and the present workers were now simply gleaning what could be found in small spots here and there. The only vein worked has black silver ore sprinkled through white quartz gangue, also with limestone gangue and sometimes

with copper pyrites holding gold. The vein dips, it is said, about 68° south-west (about parallel to the nearest though somewhat distant bedding planes that have been observed); and the ore would appear to be mainly in a "shoot" about a hundred fathoms in horizontal width along the vein and dipping about 78° south-easterly along the plane of the vein. According to specimens that were shown me the country rock on either side is made up of a dark brownish feldspathic paste, with small grains and fragments of crystals of dark glassy quartz up to a sixteenth of an inch in diameter and blotches of nearly opaque white feldspar crystals (which I took to be decomposing sanidin) about three-sixteenths of an inch in diameter apparently filling pores in the paste. No dip planes have been observed in the rock. From the top of the mountain some distance above the hanging wall of the vein were shown also specimens of a fine grained pinkish gray thin layered apparently volcanic rock with a few small grains of crystalline quartz, and the rock has a dip it is said parallel to the vein. From below that upper rock were shown specimens of a breccia of obsidian fragments, mostly of the size of beans, united by a sandy looking probably feldspathic gray paste. Again from between the breccia and the country rock of the vein were shown specimens of a blackish rock with sanidin (as it seemed to me) in a blackish feldspathic paste, and with some small green particles apparently of malachite but without any visible quartz or obsidian. Lastly from some distance below the foot wall of the vein were shown specimens of a nearly white rock chiefly feldspathic, partly crystalline, partly a paste, with many cubical crystals of iron pyrites sprinkled through it (said to be always present) and a little bronze colored mica and a pale brown mineral that seemed to be talc. It is said there are no bedding planes in the lower rock; and the dividing planes between the different rocks have never yet been observed; but they are supposed all to be about parallel to the vein, since the dip of the uppermost rock is so.

The main dependence of the works at present, however, is not the vein itself, but a large quantity of ore in the old refuse heaps that lie all about the mines; and such unwashed ore yields, as I understood, four hundredths of one per cent. in weight of silver. The quantity of such ore on hand had been estimated at about enough to last through the year 1877. The sooner it is exhausted the better, as there would appear to be positively a loss in working it.

Near the mines are some conveniently arranged works planned by Mr. Coignet for reducing the ore, which were put up a couple of years ago. They contain ten stamps weighing 400 lbs. each, two reverberatory roasting furnaces, five revolving barrels, each of which receives at a charge: 66⅔ lbs. ore, 200 lbs. iron balls, 333⅓ lbs. mercury. In the first half of 1877, 21 kamme of silver were produced from 30,000 kamme of ore, a yield of seven hundredths of one per cent., and worth about $3,500. In the last half of 1876, the product was 34½ kamme of silver worth about $5,750; making the whole yield of one year about $9,250. The number of men employed was said to be 500, as follows: 10 officials, 30 mill-men, 105 miners, 325 men working over the old ore (of whom 175 were in July idle from want of water for washing), 30 carpenters and blacksmiths. The gross yearly income then would seem to be less than nineteen dollars to each man; and even subtracting the miners who are engaged in "dead work" for future benefit (reopening the drainage level), there can have been no profit on the whole.

My advice was asked about the best way to re-open the mine to the deep, whether by a new, low drainage level or by a steam pump. The re-opening of the old, low drainage level was said to be quite impossible; but a ravine was shown me to the south-east where the vein was known to crop out on about the same level (by my aneroid), and at about the same distance (9,000 feet) from the workings, I advised therefore that, if they wished to re-open the mine, they should drive in from that ravine along the vein, a process that would require about twelve years (as

they work now) and cost about $15,000. If they should in the mean time set up pumps to work the mine, they would, in case the mine proved worth working, need them for pumping the space below the drainage level, and also need the level to diminish as much as possible the amount of pumping. In driving the level along the vein it is possible that other ore shoots might be found.

The advisability of working the mine at all is, however extremely doubtful; and an undertaking of that kind requires a pretty sanguine disposition. For it is a mine abandoned as not worth working 300 or 400 years ago, and concerning which therefore there can now be nothing known but very uncertain and probably (as the custom is) greatly exaggerated traditions. The only portion that is imagined to be of any value is at least 490 feet under water; until so much is drained there can be no opinion of any value formed as to the merits of the mine. It would seem then to be best either to let it alone altogether, or to begin by draining it (merely to view it) with a willingness to lose very possibly the whole cost of doing so. Perhaps a plan for such temporary drainage could be contrived with buckets and horse power that would not be so very costly; and after that an idea could be formed, for the first time, whether it would be worth while to undertake seriously the permanent drainage and working of the mine.

I hope to write a special report on the Handa mines somewhat more in detail; but with this short sketch will leave them for the present.

From Handa past Shiraishi to Kagoishi some ten leagues short of Sendai the few rock exposures were only of light gray or light brown old volcanic rock as I took it to be; but at Kagoishi there was a rather soft granite with white feldspathic crystalline paste and white almost transparent sanidin like crystals of feldspar and much black and brown mica and a little hornblende in small slender crystals and rather dark brown crystals or grains of quartz. It resembles some granitic pebbles seen in the Kamoikotan region of Yesso (near Biroo), and some rocks of the same group seen afterwards near Kamaishi and in Mino and Kai.

Just beyond Kagoishi is exposed the rock of Adzukizaka called so because the surface weathers into bean-shaped protuberances up to a tenth of a foot in diameter. It is a dark red rock with a weathered cellular surface and with the cells partly filled with a white crystalline mineral apparently calc spar; and belongs probably to the Kamoikotan group of rocks. Near Hanabasan, between Oogawara and Iwanuma, occur exposures of light gray shales and sand rocks, sometimes with blackish pebbles apparently of Old Volcanic rocks, and in one place a soft but compact white slightly grayish rock somewhat like kaolin, but with fossil leaves which give the rock the name of "kashiwa stone" after a kind of tree. Rocks apparently of the same group form picturesque cliffs perhaps a hundred feet in height to the south-west of the town of Sendai, near the castle, the upper half brown and the lower half white; and are exposed on the road just outside the northern edge of the town as a level bedded white kaolin-like fine grained soft clayey sand rock. Further northward along the road exposures of similar rock are frequent, generally level or with gentle dips but at the Hiyooginzaka, just beyond Husookane, with steep or even vertical dips; but from there to Tsukitate, about 16 leagues from Sendai, the dips are about level again.

In the same formation just this side of Tsukitate were exposed at the road side two beds of blackish brown fibrous lignite, the upper one 1·7 feet thick and the lower 0·7 foot thick, separated by three feet of light gray soft sand rock, and with the same rock above and below, with a dip about level. Other exposures of equally unworkable beds of the same lignite, off the road but in the same region, were mentioned to us. At Sambongi on the main road 9½ leagues north of Sendai I visited a boring that the Public Works Department had been making for the past eight months in the same level bedded rock to the depth of about 300 feet, and that was still going on in hopes of finding a good bed of coal. But it seemed to me that the search for it there was quite hopeless. The rock is seen on the neighboring roads for a great thickness and al-

though the worthless lignite is here and there exposed, there is no sign of the presence of good coal and no sufficient reason to suspect its existence. Indeed the quality of the lignite would make it seem highly improbable that good coal should be found in the same formation ; and even if there should be another formation with better coal below (which is not wholly impossible, but not especially probable) its depth would most likely be two great to enable it to be worked with profit. I therefore recommended the discontinuance of the boring at once. It had been carried on entirely under Japanese management, and very carefully and without accident. The hole was unnecessarily large (six-tenths of a foot) ; but that was owing (I understood) to the fact that the apparatus happened to be already on hand. The boring tools were raised and dropped by the hands of a dozen laborers pulling ropes at the end of a lever ; and, very sensibly, without the waste of money that would have been caused by setting up a steam engine for the purpose.

From Tsukitate we went off the main road four leagues to the north-west to spend a day and night at the old silver lead mines of Hosokura. About two thirds of that distance, as far as to the village of Kawaguchi was still over comparatively level ground with occasional exposures of the same gently dipping light brown and whitish grey soft sandrocks, sometimes in fine cliffs, perhaps 80 feet high, on the opposite side of a river a short distance to our right.

Near Kawaguchi we entered the mountains and found them to be made up of Old Volcanic rocks. At Kawaguchi they had told us of a number of hot springs in the neighbourhood : the Yunokura hot springs, $6\frac{1}{2}$ leagues from Kawaguchi, in Hanayama village, Kuribara goori, three clear springs, two hot and one lukewarm ; the Nuruyu hot springs in the same village, 5 leagues from Kawaguchi one clear spring ; the Arayu four or five sulphur springs five leagues from Kawaguchi in Onikoobe village, Kuribara goori, forming a waterfall, the water white and stinking (with sulphuretted hydrogen of course) ; the

Samusawa (one) rather lukewarm spring in the same village, six leagues west of Kawaguchi, very clear and without smell; the Narigo seven springs, in the main village of that name, Tamatsukuri goori, southwest from Kawaguchi; also six more springs lower down in the same village, warmth not known, but all with white (sulphur) water except perhaps one. The rocks exposed here and there between Kawaguchi and Hosokura were a tufaceous pebble rock with green pebbles, nut size and smaller, or a greenish gray very tough volcanic rock without pebbles; and at the mines the country rock was a dark bluish gray fine grained trachytic porphyry.

The mines of Hosokuru were first opened, they say, about 1070 years ago (in the Daidoo epoch), and some years ago were very prosperous; but having been worked to a good depth below drainage level have been nearly abandoned since 1872. At that time they had in the Kattaizan mine worked a mass of ore that is said to have been twelve feet thick, thirty fathoms long and 120 fathoms in height; of which 20 fathoms were below water level, and were pumped by hand pumps. The mass was galena with about one fifth of zinc blende but without any gangue. Above water level it was worked out thirty years ago or more. It is said that it was abandoned solely on account of the water, and that the ore did not lessen. In the Nakanomori mine there is also said to have been a mass of ore four feet thick, ten fathoms long and over 21 fathoms in depth, all below water level; and likewise to have been abandoned in 1872 or 1873. The veins are numerous and their course is various. The north and south veins (four in number) are said to be the best; the east and west ones (five) next best, besides many small unworkable ones; the one vein north 30° east and south 30° west, third best; and the four veins north 60° east and south 60° west, fourth best; the rest (in two more directions) are all very thin veins and are not worked. All the good places in the veins are now far under water and therefore cannot be inspected; and the only mining now done is a little gleaning here and there. The work-

ing is done mostly for one operator (Mr. Shimidzu) by 84 workers in a population of 120; and the monthly product is 320 kamme (2667lbs) of lead, worth there about $116, and 150 me of silver worth about $20, in all about $136, or about an average of $1·62 a month or say $19·44 a year to each worker. It was thought however that though life was just supported by the earnings in the summer, it could not be so in winter. There are, besides, some other workers, two or three in a mine, but the little ore they find is sold and worked up at Mr. Shimidzu's furnace.

The galena is smelted in a small furnace or hearth (now only one), about a foot and a quarter in diameter, with the addition of iron in the form of old coins. The charge is: ten kamme (83⅓ lbs.) of ore and the third (last) cake of slag from the preceding operation; 2·8 kamme of iron coins, or 2·5 kamme of new iron; 7 kamme of charcoal (costing eight sen a kamme). The operation lasts two hours, and there are three in the morning; in the afternoon the hearth is repaired. The product is about six kamme of lead to each operation or 18 kamme a day. The lead (except the poorer part) is cupelled by two women on a hearth of common wood ashes; and the litharge is afterwards reduced again to lead; with a loss of 25 to 30 per cent. of lead in the whole process. As already seen the monthly product of silver (150 me) is about one half a tenth of one per cent. of all the lead (320,000 me). I hope to write a report more in detail of the mines and furnaces, but leave them here with only this little sketch of them. It is of course impossible to verify the stories of the extraordinary richness of the veins without a considerable outlay in draining the mines; but if the stories be not exaggerations it would certainly seem worth while to set up pumps that would be more effective and much cheaper than the hand pumps formerly used. The smelting operations are extremely interesting as agreeing closely in many respects with the processes of western countries, though they have apparently been handed down for many generations and are the result of innumer-

able experiments made without any knowledge whatever of the chemistry involved, just as in a far longer period even the so called instinctive methods of the lower animals have become so perfect as to agree (it has been remarked) exactly with what the very wisest man would do under the same circumstances.

There are, it is said, five places within the limits of Uguisuzawa (the village in which the Hosokura mines are) where lignite is found; and in the village of Monji two leagues and a half distant there is said to be a bed of it fifty feet thick, in layers of four feet separated by layers of stone a foot thick; but it was found to be of bad quality, when tried for smelting ore in a rather larger furnace.

From Hosokura we returned eastward to the Ooshiu-kaidoo past more cliffs, not very distant, of the same whitish gray sand rock level bedded or very gently dipping; and then kept on a day's journey northward to Midzusawa, finding along the road occasional exposures of soft, chiefly brownish, sand rock, nearly or quite level bedded. At Midzusawa they have four long disused small salt kettles and a tradition that the salt manufacture of Shiogama on the Bay of Sendai was originally here; but I could not find on inquiry that any salt water was known to exist in the neighborhood.

Just beyond Midzusawa we crossed the Kitakami river and went north-easterly over two mountain passes, then through the Toono valley and over another mountain to Kamaishi on the sea shore. The rocks of all these mountains are clearly of what we called the Kamoikotan Group in Yesso; the two former chiefly of brown, dark green and black serpentine, but with gray syenite and decomposing granitic sand (like that near Shirakawa) on the western side; the other mountain seems chiefly to be made up of dark greenish gray syenitic rock but with some highly metamorphosed dark gray and light gray lime stone with traces of crinoidal fossils as it seemed. In the Toono valley and also in the Kamaishi valley there was also much black slaty quartzite, or

siliceous slate. There was also a little blackish compact feldspathic rock. The dips are steep sometimes even vertical and the strike generally north 10° or 5° west. These rocks are associated together not only here but from western Shinano to Lake Biwa and may still be classed together as one group; though some parts may differ a good deal from other parts in age. The only fossils (except one calamite) that have yet been found are in the highly metamorphosed limestone; and the only recognised ones at Akasaka in Mino, and are said by Dr. E. Naumann to be of carboniferous age (fusulina and crinoids).

The syenite of the mountains has much white feldspar, a good deal of very dark brown mica, hornblende crystals about a sixtenth of an inch long and a little glassy quartz slightly smoky in round grains, and the whole rock in some places (as near Toono) is crumbling into gray sand. In all the syenites observed the quartz is in like manner in "crystals or in rounded crystalline grains," as Richthofen says it is in granitic rhyolite; "while," he says, "in granite it usually permeates the interstices between the other component minerals;" a passage that by a misconception on my part formerly confirmed me in a probably incorrect impression in regard to some syenites near Chikubutomuushi high up on the east coast of Yesso, which I took to belong to the old volcanic rocks. It now seems to me that those syenites and (their associated rocks) as well as some syenite blocks and sand near Kumnui in Yesso must belong rather (like those near Kamaishi and probably also some pebbles found by me near Nikkoo) to the Kamoikotan Group; so that the group very likely extends through the central part of Yesso to the northern end of the Island. At the same time, the blackish feldspathic rocks on the Ishcari river above Kamoikotan, which I thought might possibly belong to the old volcanic rocks, no doubt belong to the Kamoikotan Group, as supposed at first. Sometimes however there is difficulty in judging by the mere appearance of the rock at a single point to which group it should be assigned.

Near Oohashi in the upper part of the Kamaishi valley and in the Sahinai and Hashino valleys adjoining on the north, lenticular masses, about vertical, (beds apparently) of magnetite have been found in the same rocks, up to a thickness of about fifty feet or even more. They were formerly supposed to be beds or veins of pretty uniform thickness and consequently to be of immense amount; before our visit it had been found by digging that each deposit thinned out within a short distance. My examination was necessarily a very hasty one indeed; but an extremely rough calculation of the probable amount of accessible ore at the three places near Oohashi showed that there would be perhaps 100,000 tons of it at Shinyama; 30,000 tons at Motoyama (which I did not myself visit, but had described to me in comparison with the other places); 10,000 tons at Nozokinosawa; making 140,000 tons in all. It is very possible that a careful search may lead to the discovery of other important deposits of the ore in the same valley. At Sahinai, across a high mountain pass and practically inaccessible from Kamaishi except by sea, there are three ore places, the thickest with a thickness of about fifty feet of rich ore and about fifty more of poor ore. At Hashino there are said to be two ore places; and at Sawahi there was another, but it is said now to have been all worked out. Near the magnetite beds one found much epidote and garnet and in the ore in some places are minute traces of malachite, and often a good deal of iron pyrites which will be by its sulphur very injurious to the quality of the iron; but one of the Sahinai places seems to be very free from that impurity. At Nozokisawa there is limestone within a few feet of the ore. The ore began to be worked about twenty years ago at Oohashi, about a year later at Hashino, and about 17 years ago at Sahinai. About 1868 two blast furnaces were built at Sahinai and two at Hashino; and in 1874 one at Sawahi; all of the same size. There was also a furnace of the same kind between Oohashi and Kamaishi. The Sahinai blast furnaces have been three or four years out of blast; because they did

not pay, though the ore is said to be the best in quality and quantity outside of the Oohashi valley. They were twenty feet high and five feet wide across the boshes; were built outside of syenite and inside of "Hanamaki firebrick." They were in blast 120 days at a time, making it is said, 600 kamme a day or 7,200 kamme (60,000 lbs.) in the whole campaign. The fuel was of course charcoal and the blast cold; one of the two furnaces was of poorer material and quickly became unworkable. There was also a small furnace for converting pig iron into wrought iron. Last summer the Government was putting up two large charcoal blast furnaces 59 feet high and eleven feet across the boshes with Whitwell hot blast apparatus, the fire bricks and iron work all imported from England; and a large rolling mill. The two blast furnaces are expected to need at least ten thousand tons of ore a year. It is therefore very greatly to be hoped that additional deposits of ore may be found in the Kamaishi valley. A railroad has been built from the sea shore to Oohashi about eleven miles, and as the principal ore banks are a couple of miles further up the very narrow rough valley the plan has been to bring the ore down by a suspension wire tramway.

It seems to me that such deposits of ore and the circumstances of the country generally, the dearness of capital, the cheapness of labor, the great cost of imported furnace materials, the lack of workmen or superintendents familiar with the methods of large furnaces and of the latest blast heating apparatus are more particularly favourable to the working of very small blast furnaces of improved native material, and probably still more to bloomary or Catalan forges, such as are common in many mountain regions of Europe and America, and have flourished within thirty miles of New York in the last twenty years owing to the excellent quality of the iron produced. A blast furnace by enabling a larger quantity to be produced in a continuous operation with a saving of labor is undoubtedly more profitable in some countries in spite of the far greater amount of capital required. But if a capital of

over $800,000 is laid out to obtain an average yearly product of 5,000 tons of pig iron, the interest alone at 18 per cent. a year (supposing the capital to be private property) would amount to thirty dollars for each ton, not counting the expenses for labor and superintendence, the wear and tear of the works, or the possible early exhaustion of the ore beds and consequently comparatively short life of the furnaces. Of course the fact that as government capital is employed the rate of interest may be reckoned lower is favourable in the present case ; but is not encouraging to private operators, as an example to whom rather than for its own profit such works would probably be undertaken by the government.

I hope to write later a more detailed account of what I learned in my short visit to the iron region ; but meanwhile would urge that a thorough geological and topographical survey of it should be undertaken.

On finding for the first time by my visit to Kamaishi that the Kamoikotan Group contained magnetic iron ore I suggested at once to the Government that search for such ore should be made and perhaps bounties offered for its discovery in Yesso ; where the Group seems to occupy a very large space, chiefly in the interior of the Island, and hitherto very little explored except by the Ainos. Soon after my return home in December a specimen of such ore was shown to me as coming from near Biroo on the East Coast of Yesso within the region marked as belonging to the Group on our coloured geological sketch map of the Island. It is quite possible that many other deposits of the ore may be found ; and owing to the great abundance of good coal they would be of very great value.

It is said that gold sand was washed some years ago by the Oono company but abandoned in 1875, at Ootsuchi six leagues north of Kamaishi and no doubt it was derived from Kamoikotan rocks ; confirming therefore Mr. Munroe's opinion that the gold of Yesso came originally from those rocks. We were told also a day or two later that gold and sand was washed about 200 years ago (in the Genroku epoch) at Sotokawame and Uchikawame, a league from

Oohasama, and that even now a little is found by washing the sand of Kawame river a few leagues southwest of Morioka, also at Kamimiyamori, still in the region of Kamoikotan rocks. But in the same koori (Heinukigoori) on the west side of the Kitakami river and probably among Old Volcanic rocks there are (it is said) five villages (namely Daimura, Yuguchi, Namari, Toyosawa, Shidate) at each of which there are several mineral springs, apparently all sulphur springs, all with white water, but the Daimura springs less so than the others; and all hot except the Namari Springs, which are luke warm.

From the Kamaishi region we returned to Toono and kept on north-westerly to Morioka the capital of Nambu: passing again a great deal of lime rock and serpentine and some syenite rocks with similar strike and steep dip and no doubt all belonging to the Kamoikotan Group. The exposures continued almost to the Kitakami river, a short distance below Morioka, although we had left the Kamaishi mountain ranges far to the east.

The necessity of starting at once on this summer's long journey obliges me to pass still more briefly over the remainder of the trip of last year (having already in letters given some of the principal facts and the advice they suggested), leaving details to be given in future special reports for which there will probably be more leisure next winter and spring. From Morioka we went northwesterly into the broad mountain district of old volcanic rocks in the central part of the Island; and, passing the Yuze hot sulphur springs, reached in a dozen leagues the town of Hanawa. Thence we went west a league to the copper (chiefly copper pyrites) mines and furnaces of the Okada Company at Osaruzawa in Kadzunogoori, which yielded in a year about 5,250 piculs or $100,000 worth (there) of copper, with 2,000 workers, in a population of 3,000; or about fifty dollars a year to each worker, and apparently with a profit to the owners. The mines and veins are numerous through a space of three quarters of a league in diameter and have been worked for about 200 years. Formerly they were work-

ed sixty feet below water level, but are not now pumped at all. The furnaces and other works are all of the old Japanese style. Hand specimens were shown of lignite which occurs in the same region, it is said, in three layers of three feet each, in a rather inaccesssible place, and not thought worth working. One specimen was like that assayed by Mr. Munroe in 1874 (see Kaitakushi Reports) a very pure mineral charcoal; but the rest is said to be much inferior and is more like the brown fibrous lignite common elsewhere in the Toshibets Group, from a small patch of which among the volcanic rocks it probably comes.

From Osaruzawa we went a couple of leagues southwest to the gold mines of Ookudzu, about 300 years old, but in 1872 provided with a mill of ten stamps of a ton each which stamps and amalgamates six tons of ore a day. The product from July, 1876, to the end of March, 1877, (and from that time, as I understood, the property was idle until the end of June, when it was sold by the government to the Okada Company) was about 500 momme of gold or $1100, from 140 tons of ore or about $7.70 to a ton; but the work was not actively carried on. There are also some of the old hand washing works still in use.

We then went to the Kozaka silver mines and furnaces about five leagues north of Hanawa. The mines are in a rich mass of silver ore contained in great part in a yellow earth and supposed to be in the form of a sulphuret. The government had owned the mines and lately had completed some large furnaces and other works for the reduction of the ore by the Ziervogel process; but about the first of July had sold the whole to the Okada Company. In the one month of July, 1877, the product was $41\frac{730}{1000}$ kamme of silver and about 500 kamme of copper, or about $6,500 in all; about 600 men were employed, one half of them at the mines and one half at the furnaces. The average product then for each workman was nearly eleven dollars a month, much more than is gained at the less elaborate works of any of the other mining places we visited,

We then went down the Yoneshiro river, still among Old Volcanic rocks, westerly to Kagoyama where there are furnaces for refining the copper and extracting the silver from the copper of the Ani copper (and to a small extent lead) mines and from the lead of the Daira lead mines all Government property. The Kagoyama furnaces were first built in 1774; and are very inconveniently situated on a steep hillside by the bank of a small river opposite to a little alluvial plain. They produced in the year from 1st July, 1876, to 30th June, 1877, of copper 804116,75 lbs; silver 17942,8 grains; lead 202320,75 lbs. We hastily visited the Daira mines half a dozen leagues north of Kagoyama, and the very extensive and numerous Ani mines on the Ani river ten leagues southerly from the same place. The furnace and works at all three places are all of the old style.

Three quarters of a league east of Daira and under the same management are the unimportant Yabets lead mines (evidently an old Aino name like the yet more southern Sahinai, Innai and some others). The Daira mines are 615 years old, and the Yabets, 197; and in all at both there were formerly 680 mining places, of which 658 have been wholly abandoned and 32 are now worked. About forty years ago the mines were very prosperous and they worked a vein of galena that was six feet wide; but last summer the widest spot was said to be only four-tenths of a foot and commonly there was not more than one-tenth. They were expecting however very shortly to reach the abundant ore again at a lower level where it had not yet been worked. One mine (the Shichimai) has a little copper pyrites, which is smelted and yields about 400 lbs. of copper a year. The Daira and Yabets mines and furnaces produced in the year from 1st July, 1876 to 30th June, 1877, of washed ore 290057 lbs. and of lead 181,473 lbs. (about 62½ per cent.) The number of workers is 396.

The Ani mines have been worked for about 240 years. They produced in eight months (November, 1875, to 30 June, 1876) over 563,000 kamme (about 4,700,000 lbs.) of washed copper ore and 3,900 kamme (32,500 lbs.) of

washed lead ore. In the same time the Ani furnaces produced over 66,700 kamme (about 556,000 lbs.) of crude copper from about 582,160 kamme of washed ore (or about 11½ per cent.); and 2,108 kamme (175,700 lbs.) of lead from about 3,670 kamme of washed ore (about 58 per cent). The number of workers at Ani are 1895. The mines are much more extensive than at Osaruzawa, and clearly the profit is better.

I would urge that a careful and thorough topographical and geological survey be made of the mines, especially at Ani; a step that is the very first one that should be taken in all mining operations of any importance. Although the profit appears to be greater at Ani than in Osaruzawa it seemed to me that some important economy might still be effected without completely abandoning the old Japanese furnaces or laying out a great deal of capital. The fuel has long been exhausted from the small valley where the furnaces are and is now carried up to the furnaces; whereas if the ore (but little more than half the weight of the fuel) were carried down to the main river, say near Midzunashi (about a league from the present furnaces), not only would the cost of carriage be much less, but the fuel floated down stream from a large valley above, would be cheaper. The furnaces are of such a simple nature that the removal would not be costly. Again, the ore is now brought to the surface (as at Osaruzawa) on the backs of men and children through narrow crooked difficult mining galleries, the lowest of which are high above the main river. If a drainage level should be driven in from say Midzunashi, and perhaps divided afterwards into two forks like a letter wye (Y); not only would a much larger amount of the ore veins be freed from water, but all the ore might be conveniently brought out in waggons on a tramway.

At Ani in one spot there is a small sedimentary deposit which yields fossils, that looked to me as if they were of about the same age as those of the Toshibets Group in Yesso. Some specimens of lignite were also shown me that came from Kayakusa, a league and a half up stream

from Midzunashi. It was black and shining, but somewhat fibrous in structure, and judging by its weight apparently too rich in ashes. The bed was said to be four feet thick, though imperfectly exposed; and they said that there was also another bed of it seven or eight feet thick at Kooya, a league still further up stream; but that the quality had been tested by the mining office at Yedo and found unsatisfactory.

From Ani we went down stream, past Kagoyama again, to Tsurugata near the mouth of the Yoneshiro River, in Akita Ken. From that place I visited the small Komagata oil springs two or three leagues distant up stream; and the Midzusawa and Menagata oil traces and abandoned wells four or five leagues northward by the sea shore near the northern end of the Ken. Then we went southerly to Kubota visiting the Riuge and Tsukinoki oil and lampblack works, the Yabase oil places and the Minato oil refinery on the way; and going to the Nigorikawa few, but good, oil wells where Messrs. Kuwada and Nishiyama were busily surveying, a league and a half from Kubota. Then after three or four days of rainy weather and office work we visited the Hanagawa Masugawa and Nakamaguchi very small oil places on the large peninsula, across the Hachiroogata bay from Kubota. Then we went south again through Kubota, glancing in passing at the salt manufacture on the beach, like that of Tootoomi already mentioned, and along the sea coast, visiting the traces of oil at Michigawa, Hutago, Ashikawa, Kaneyama, the oil wells at Kuregi, and Oosawa in Kamioguni, at Iseichi, Yokooka, and went even to the oil springs at the foot of Chookaisan in Yokooka. Then going inland, I visited the traces of oil at Kosugeno, Yoshizawa, Matsuzawa, Oosugisawa, and the large but very difficultly accessible traces of oil at Sarugawa near Yashima. The oil of the Akita springs and wells is black and thick. The rocks in which it occurs are very soft brownish sand rocks; but at Riuge and Tsukinoki it impregnates New Alluvial earth. The dips of the sand rocks are commonly not steep, and near Yabase and

Nigorikawa are very level. The neighbouring hills and rocks I took to be old volcanic and the fine high cone of Chookaisan is evidently volcanic. Messrs. Kuwada and Nishiyama before returning finished small surveys of all except the least important of the oil places including visits to one or two that had escaped my notice.

From near Yashima we crossed a few leagues still further inland to the rich silver mines of Innai, 300 or 400 years old. There are, they say, about twenty parallel veins, but only one of them is now worked; it is said to be about 25 feet thick, but to have at most only six or seven-tenths of a foot in thickness of ore, though some thirty years ago it had 1·3 feet of it. The ore is all a black sulphuret. In the year 1876 the production was 472,283·4 momme of silver from 35,000 kamme of washed ore, or 156,000 kamme of unwashed ore; or over one and a third per cent. of silver in the washed ore, and about one-third of one per cent. in the unwashed ore. In the year from July, 1876, to June, 1877, the product was 481,237·9 momme of silver, which contains, it is said, one per cent. of gold, that is not separated. There are about 700 men and 200 women employed; 900 in all. The yearly yield (about $75,000) is then about $83⅓ to each worker, and the profit therefore is good. The mines are carried to a depth of 680 feet below water level, and are pumped by hand with small Japanese pumps, each ten feet long. The mines and furnaces are all worked in the old fashion. They belong to the Government and are in general supervised by it, but are leased in portions to 87 miners, who sell to the Government the silver produced at 8·6 sen a momme (the value is about 15 sen). The profit then is a handsome one to the Government and the official work much reduced. But the government do the timbering of the mines and the "dead work." Last year they were improving the drainage level so as to put a tramway into it, according to plans by Mr. Coiguet.

Although so profitable already it seemed to me that important economy might be effected by making a drainage

drift at a much lower level, which the shape of the mountains seemed to render easy; and perhaps the outlet of such a drift would be in a more convenient place for furnaces than the present high, narrow, steep valley. Of course such questions could be best decided from the maps of a careful survey of the whole field; and by the same survey highly important geological facts might very likely be brought to light.

Close by the office of the mines are found fossil shells (pectens, about half a foot broad) in a soft yellowish brown sedimentary rock of volcanic materials; apparently of the age of the Toshibets Group in Yesso, which likewise contains large pectens. The surrounding mountains, however, seem generally to be old volcanic rocks.

From Innai we went south-westward and westward to Sakata, by the sea shore in the great Shoonai plain. Thence I visited the small oil place and its lampblack works among volcanic rocks on the southern slopes of Chookaisan; but found that it would apparently not be worth while to make any further trial wells there nor even a survey, as the deposit seems to be of very limited extent. Then we went southward along the sea coast from Sakata. In passing we were told of a bed of coal (no doubt lignite) about half a foot thick at Aburato, near Sanze; and of another about two inches thick at the neighbouring village of Hobado. It was also told us that in the sea, 400 feet deep, seven leagues off the mouth of the Atsumi River there was a place half a league in diameter where oil and oil gas come up violently in great quantity, and the oil of a blackish and red color covers the sea; and that there was another place six leagues from Aoshima towards Sado where oil and gas come up in the sea, but in less quantity. The mountains along the coast come down to the sea and seem to be made up of old volcanic rocks, in great part greenish gray tufaceous pebble rocks. From nearly opposite Aoshima we turned a little inland and passing through Murakami, in northern Echigo, and Kurokawa (where the oil survey had been made in 1876) we came to

Mikkaichi, near Niigata. I made thence a hasty visit to the small Akatani mines of lignite of a poor quality, some three or four leagues to the east, then we kept south through Shibata to Niitsu, where we met Messrs. Inagaki and S. Maeda who were surveying in that neighbourhood. After an interview with them we travelled southward through Yoita, Wakinomachi, Miyoohooji, Kashiwazaki, the country traversed the preceding year, to Takada, in the southern part of Echigo, thence we went to Tomikura in Shinano near the Echigo line and met there Messrs. Yamauchi, Yamagiwa, M. Maeda and Akiyama, who were at work on their survey. Then I went to Nagano (Zenkooji) visiting on the way the Matsunosawa, Kitsunedaira, Nigoriike oil wells, the oil traces of Wakin, the oil wells of Sekiguchi, the Numa Shinden oil springs, the Hurumi cold mineral spring, the Shibatsu oil traces, Kajiro oil traces, the Sharishinkooji and Uematsu oil wells; nearly all of which were included in small surveys in 1876, and were united by the survey of 1877. By the sketch maps which my rough sketching enabled me to prepare very quickly the work of Mr. Yamauchi's party was decidedly facilitated, and they were able to return to Yedo much sooner than they had been expecting to.

Near Kajiro I visited in passing an iron foundry for casting pots, not at the moment in blast. The cast iron (old coins, some said from Sado, some said from Nambu) is melted in a furnace made of two movable horizontal sections each of about two feet and a half in height and three feet in diameter, with another above them of like diameter and one foot in height, and still another at the top of rather smaller diameter and a foot in height, each about three quarters of a foot thick, of home made reddish bricks and bound with iron hoops. The blast is given by a box bellows like those of the oil wells, about ten feet long by five wide, worked by ten men. About 5000 or even 5,500 lbs. are cast at one operation, which lasts all day, and the preparations for which take a fortnight, The pots are cast upside down; the lower half of the mould is

made afresh for every casting, chiefly of coarse sand, but covered with finer sand; the upper half is made of clay and used repeatedly. The surface of the mould is sprinkled with very finely powdered charcoal of pine wood and not with graphite. There were some 250 moulds, mostly for pots about a foot in diameter, but some of them about three feet. The one foot pots are about three-sixteenths of an inch in thickness. Some of them in casting are imperfect with small holes; and I happened to see a tinker mending them, a process that has long excited much curiosity in western countries. He was filling up the holes with bits of iron of like thickness, that he hammered out over a small anvil until they joined the edges of the holes neatly all round. "Are not these bits cast iron?" I asked.—"Yes," said he.—"But how is it you hammer them out?"—"Oh! they have been softened in the fire!" In that simple way he fills up holes a quarter of an inch in diameter and by degrees even holes three-eights of an inch wide by a tenth of a foot long; but such mended pots are sold a little cheaper than the perfect ones (25 or 30 cents), and are less durable. The foundry appeared to be owned and managed by a woman.

At Nagano we were delayed twenty-four days by Mr. Adachi's serious illness, but it gave me a chance not only to visit the Tatara and Moosuge oil traces and trial wells within a league or so, but to do a good deal of office work in reducing my sketching, which would have occupied much more time under the frequent interruptions in office work at Yedo; and also enabled me to spend six days (including a Sunday) in making a flying visit home on private business. Although the season was already far advanced for the mountains (the middle of October) it was thought best that I should continue the journey westward; and, as soon as Mr. Adachi was well enough, I visited the Miyanoo oil traces, the Kurumigoori oil well, Hutae, the Minenohara and Miase Yachi old oil wells in Aoku, the Yachi or Horinouchi now barren oil well, the Kirikubo oil trace, and the Nakao and Chikuni oil gas places; all of very trifling

or no importance as oil places, though some of them are perhaps the best in the north-western part of Shinano. Near Chikuni already on the 25th of October, owing to the peculiar climate of that region, the snow lay about four-tenths of a foot deep on our road across the hills, though it was absent as we went down towards the sea shore to Itoigawa in the south-western end of Echigo.

On going down towards Itoigawa we met with pebbles of syenitic rocks, of black slate with a small fossil calamite, of limestone and of serpentine all doubtless of the Kamoikotan Group; and soon found the serpentine and dark red compact feldspathic rocks in place. Along the mountainous sea shore to the west of Itoigawa we soon came to a great deal of metamorphic gray limerock in places, and at two places a short distance west of Oomi and east of Uta found in the limerock traces of what seemed to be encrinites but very difficult to break out from the very compact, tough, highly crystalline grayish white limestone or marble and scarcely visible except on a weathered surface. Along here too there are many small hollows without visible outlet, as if there were subterrranean caverns in the limestone.

Near Ichiburi (beyond Uta) we entered Etchiu and the Ishikawa Ken; and from the boundary westward and south-westward to Toyama (the capital of Etchiu) our road lay in an alluvial plain. It was considered by the officials who met us decidedly impossible for us to visit the mines in the mountains to the east, which were already two or three feet deep in snow; but scores of specimens of ore and other minerals were brought to me to name, and an account of some of the places were given by eye witnesses; and all the facts that could be gathered as well as descriptions of the minerals were recorded in my note-books. Among the minerals were gold bearing quartz (the gold invisible), copper pyrites, galena, zinc blende; graphite (five large lumps, said to come from plentiful deposits), magnetic iron ore (from several large deposits, according to the account given), impure lignite. It is pretty clear that even here the ore bearing veins

occur in rocks of the Kamoikotan Group, and many more instances of the kind were afterwards found to occur in Kaga, Echizen and Mino, and evidently the ore veins of Hida are in the same Group.

We had intended returning southward through the province of Hida; but were assured that owing to the presence of heavy snows the journey would be difficult and take more time than a circuit to the westward through Kaga and Echizen, where there were also mines that the officials wished me to see. On leaving Toyama therefore we went westward to Kanazawa the capital of Kaga, visiting on the way the Hariwara oil gas place, the Kosugieki-Sangamura traces of oil, the Kosugimura, Tonamishin, Imai, Takaki, Takaoka, and Imaisurugi gas places, the Tagawa place (near Imaisurugi) rich in fossil echinoids; besides having more ores and animals brought to us for determination. Those are all the oil and gas places of Etchiu, and all seem to me very unpromising for further experiment. They are almost without exception in wide alluvial plains; and the uncertainties about the (probably great) depth and the position of the underlying rocks from which the oil no doubt entered the alluvium, as well as the insignificance of the visible traces of oil are completely discouraging to any deep digging. It is possible that the gas might be worth utilising, as is done in Echigo, for household fires and lights; but hitherto the outbursts of gas from wells dug for water have been checked by filling up with earth again. The rocks from which the oil comes (and the lignite too, and the echinoids) seem to be of the same age as the oil bearing rocks of Echigo and probably are not very unlike the Yesso Toshibets Group in age. Exposures with gentle dips occur here and there in low hills near the road. The same formations seem to extend into the province of Noto, and some pieces of lignite from it were shown; but in sifting some rumors of oil there, it appeared that none really existed. The mountains of that province, however, would seem to be mainly of the Kamoikotan Group, judging by some specimens shown and descriptions given. Amongst the rest

was a lump of pretty pure looking graphite, some magnetic iron sand, some sand and pebbles said to contain gold, some copper pyrites, galena, manganese (psilomelane and pyrolusite), limestone and marble, and a very little fluor spar, apparently a rarity in Japan.

In the alluvium of middle or western Etchiu are found fossil lumps of chalcedony and carnelian probably from the Kamoikotan rocks to the south (for those rocks seem everywhere much richer in quartz than the old volcanic rocks are); and at Kanazawa there is a small government shop for cutting it into ornamental objects.

At Kanazawa we spent a couple of days in carefully reviewing the minerals of Ishikawa Ken at the government museum, and naming them in compliance with the request of the officials. The weather had now become very stormy and occasionally delayed our progress, but gave opportunity for office work in addition to the examination of minerals. After four days at Kanazawa, then, we went south-westward through Terai, famous for its well painted porcelain, to Komatsu, thence a couple of leagues eastward passing some porcelain furnaces to the rich and profitable Yusenji copper pyrites mines (two large veins, one of them with three ore shoots); mines which have been worked over 200 years, and in 1876 produced about 8500 kamme (70,800 lbs.) of copper; but since 1st of July, 1877, had been producing 2,100 kamme (175,000 lbs.) of copper a month. The washed ore is said to yield in the furnaces there about fourteen per cent. of copper. There are 240 workmen in all. The mines are not yet worked below water level. The works are all of the old Japanese style. Without radically changing the method of working the ores, it yet seemed to me that an important saving might be made by removing the furnaces to some place near a large stream at the mouth of the narrow steep valley up which the fuel (a third heavier than the ore) is now carried. It is also quite probable that a topographical and geological survey of the whole place would show the feasi-

bility of a lower drainage level than the present one, as well as give geological information of practical value.

We went that day also a couple of leagues further to the same owners' Kanahira furnaces and copper pyrites mines (one vein formerly the richest in Kaga), but lately (it is to be hoped only temporarily) less successful. The furnaces in the last half of 1876 yielded 5,872 kamme (about 59,000 lbs.) of copper. The mines extend 11 fathoms below water level, of which twenty feet are pumped by a water wheel and the rest by hand. There are also one or two other smaller copper ore veins not worked; and many veins of gold quartz, mined since 1775; but now not very actively worked by about 200 workers, with a production of about 90 momme (about $200) of gold a month. The Yusenji and Kanahira mines are on the edge of the mountain that fills the middle of the Island: and are all probably in Kamoikotan rocks though there is apparently a border of Old Volcanic tufaceous rocks close adjoining on the north-west. A day of rainy weather again enabled me to make many inquiries and to examine a number of mineral specimens for the inhabitants; and the next day, after rapidly visiting the furnaces and some of the small gold mills and mines, I went past the Awadzu hot sulphur springs to Yamashiro where there were other and more famous hot springs. Thence we went next day a league or two to the very anciently celebrated hot spring of Yamanaka, and were kept there by rain for three days; except that on one day I was able to go up the valley three or four leagues and back, to visit the very irregular graphite deposits of Hegitani and Ichinotani, and the neighbouring slightly ferruginous kaolin of the famous Kudani, where the porcelain furnaces have been abandoned over forty years, and where extremely little kaolin has been dug of late years, and not much indeed from the very beginning. The graphite and kaolin come from Kamoikotan rocks; and near by is some metamorphic limestone that is burnt for lime.

Then from Yamanaka we went to Hukui, the finely

situated capital of Echizen; and on the way I visited the small Yamashiro porcelain furnace, where alone a little of the Kudani kaolin is used, though the material is mostly taken from nearer places. The road to Hukui was in great part through a wide alluvial plain; but there were also hills of a soft green tufaceous rock, and one of them close by the town gives enchanting views. Owing to the weather (which covered the near mountains with snow) we stayed in Hukui five days; and on account of the lateness of the season gave up the plan we had had of visiting some apparently important copper mines in Oonogoori, high up among the mountains to the south, where there was probably already deep snow; and we had specimens of ores and minerals brought to us by men who could also give generally some account of the deposits. The mountains of the whole Oonogoori region would seem to be made up of rocks of the Kamoikotan Group.

At length on the 22nd of November we set out for Yedo again first westward over the alluvial plain through Takebu, then southward across the Tochinoki Pass through Kinomoto and Nagahama on the eastern shore of Lake Biwa to the Nakasendoo near the historic Sekigahara in Mino on the southern side of the central mountains. The rocks of the mounta ns appear all to be of the Kamoikotan Group, chiefly dark gray and blackish hard shales and quartzites with steep dips; and across the lake the mountains were apparently for the most part the same (though one fine volcanic cone could be seen); and some spots were pointed out there in the distance from which granitic building stone had been brought. Coming eastward on the Nakasendoo we soon, near Hamegai (three or four leagues west of Sekigahara) met with dark blue and gray limerock that was quarried, and at Akasaka, some three leagues east of Sekigahara, we saw some of the quarries from which come the blackish and dark gray limestone that is cut into many ornamental objects displaying somewhat lighter colored small fossils (fusulina and others); objects that have been widely seen in national and international fairs for some years past. In

the mountains near by there is a small copper pyrites mine, and some iron ore, by description probably magnetic (though I heard of it too late to visit it). We came rapidly eastward along the Nakasendoo through the large town of Kanoo and the Kanooppara (or hara) an Old Alluvium plain several leagues wide, where the government has for some years been planting pines in large numbers; then past the finely picturesque high cliffs of the Kiso river, of dark bluish gray hard compact quartzite, evidently still a part of the Kamoikotan Group; then, on the south side of the river, over the Thirteen Passes to Tsumago, in the south-western corner of Shinano, through a difficult mountain region of syenitic rocks, in places much decomposed and crumbling, with very steep dips, still no doubt of the same Group. But here and there, at least to the south of the road, there are probably patches of rocks of about the same age as the Toshibets Group; for some very recent looking fossil net-veined leaves (resembling the kashiwa and momiji) in a soft tea colored sandstone were shown me and said to have been found at Takeori, about two leagues east of Ookute. Also two spiral univalve silicified casts, probably from Kamoikotan rocks were shown me, and said to come from Tsukiyoshi, two leagues south-westerly from Ookute, near Hosokute.

From Tsumago leaving the Nakasendoo we went across high mountain passes eight leagues to Iida on the Tenriugawa, still among crumbling syenitic or granitic rocks, which indeed we traversed almost exclusively until we reached and passed Koohu, the capital of Kai (or Koshiu). Among mountains of such rock on the south of the river, between Iida and Takato I visited, at the request of the Government, the Kashio salt. It proved to be a rather slight impregnation of salt in a very hard black shale, which is exposed with a nearly vertical dip in the steep bank of a small brook. A well or two had been dug near the bed of the brook, and the salt water obtained is concentrated by freezing in winter, and the process completed by boiling in a shallow pan. A

little salt has been gathered by the villagers for many years; but lately some Toosa men had come to work it on a larger scale. I recommended that, if they wished to dig in a place that was so unpromising for large operations, they would better drive horizontally into the hill along the well exposed bed of salt bearing shales; and a few days ago I was informed that the advice had been followed with better success than before, though still the product is but small. The impregnation seems to be too slight and the rock too hard for any great profit.

From Takato (still in Shinano) we crossed to Koohu, and half a dozen leagues north of that town I visited the Kurobira quarries, near the village of Mitake, that yield the famous limpid quartz crystals from which balls are cut. The quartz occurred in veins about two feet wide in the same crumbling gray granite (without hornblende here), and the large flawless limpid crystals seem to have been worked out ten years ago; but some of them are still found in neighbouring mountains. The largest perfectly limpid and flawless ball that ever was made from here is said to measure 0·52 Japanese foot in diameter, was shown at the Vienna Exhibition, was lost in the steamer Nil, was (according to a newspaper account) fished up again and exhibited last summer in the great Ueno fair at Yedo, and belongs to the Shintoo temple at Mitake. The next largest was 0·5 Japanese foot in diameter (or a little less), was also exhibited at Ueno last year, and belongs to an inhabitant of Mitake. It is said there was one, with some flaws, seven-tenths of a foot in diameter; and the owner of the second largest ball has a good crystal nine-tenths of a foot in diameter, which he said was the largest that had been found in Japan, but it is full of flaws inside; and he has another of the same kind nearly as large. The flawless balls four-tenths of a foot in diameter are very few; those of three-tenths, perhaps twenty in number, but those of two-tenths, very numerous.

Besides the granites near Koohu there are also to the north and north-west Old Volcanic rocks; and on the

south is the beautiful cone of Hujiyama. We came straight easterly to Yedo by the Kooshiukaidoo, crossing several mountain passes all among rocks apparently of the Kamoikotan Group. Near the westerly one, the Sasago pass, was still the crumbling gray granite; and on the western side of the pass, among the sand caused by the crumbling, is found at one spot near the village of Hajjika a variety of mica that is called by the country people hiruishi or leech-stone. It is in small dark brown grains of the size of peas, made up of hexagonal plates, and, when put in the fire, by the partial separation of the plates becomes some ten or twenty times its original length, so as to look like a worm.

After that, as far as to about half way from Koohu to Yedo there are gray syenitic rocks; and then for half a dozen leagues, nearly to Hachooji, the rocks are chiefly dark gray and blackish hard shales. From Hachooji the rest of the way (a dozen leagues) was chiefly over the wide high plain of Old Alluvium in good part of brown gravel, with here and there a river bottom of New Alluvium. At the Tamagawa ferry, near Hino, the pebbles were all apparently of Kamoikotan rocks, chiefly dark bluish gray, but a few of light gray limestone. A short distance this side there was an exposure of level bedded, soft, greenish gray, clayey sand rock, a little pebbly, which I supposed to belong to the same formation as the rocks of Kanagawa, and suspect to be not of very different age from the Tootoomi and Echigo oil rocks and the Tooshibets Group of Yesso.

At length on the eighth of December we arrived home, having accomplished the journey of about 2,150 miles (860 ri; not counting my private journey of 300 miles from Nagano to Yedo and back). The travelling had had to be done wholly in a hand carriage (jinrikisha), with the baggage on packhorses; or, much of the time, among the mountains where the roads were too poor for wheels, in the still far slower sedan-chair, or even occasionally on foot. The continuous topographical sketching, in the same manner as the preceding year, was kept up throughout.

Instead of giving here as I did formerly in the Kaitakushi reports a detailed account of the rock exposures along the different roads, I hope with more leisure next winter to make a series of sketch maps on a sufficiently large scale with the rocks briefly described and the dips given (perhaps with appended notes) in a form that will be more convenient for reference than could be arranged here. It will also be very desirable in the meanwhile to give the numerous rock specimens collected a more careful examination than has been possible under the heavy pressure of still more important duties. The present report is intended not so much to give results of our year's work as to show what we have been working at and how we have spent our time.

At the end of last January it was decided that our survey should henceforth be called, what it had already for some months practically been, the Geological Survey of Japan. I cannot by any means pretend to make it, within a very limited time for so large a space, what such a name would mean in western countries; but still hope to accomplish a hasty but connected geological reconnaissance of the whole country that may be of some use for the later work of our assistants or other geologists. A general though rapid reconnaissance would seem very suitably to precede a more thorough survey; and, if it should give a skeleton in the main correct, it will perhaps be comparatively easy afterwards to fill in details and make corrections here and there.

Besides my own observations much additional information, already placed at my disposal by the government and partially arranged, will greatly increase the value of the work. There are also in the Public Works Department detailed accounts of several mines, particularly a number of very good reports on Shikoku, Yamato, Kii and Hida mines by Mr. R. J. Frecheville, the whole of which, it seems to me, ought by all means to be published, either among our papers or separately, and I should be happy to see them through the press. It is possible, too, that the Government might yet procure

other similar reports from mining engineers who have lived for years near Japanese mines and who consequently must understand them better than a passing visitor could do. Although I should naturally be much pleased to have such information on the geology of Japan united as far as possible in our publications, yet the main thing is to have it made public at all, no matter how; for otherwise we foreigners are apt merely to go repeatedly over one another's ground without enabling the government or the world to make any great progress in its acquaintance with the geology of the country. In order to make our knowledge of the relative age of the different groups of rocks in Japan more complete and to render possible a better comparison of them with the formations of other countries, Dr. Edmund Naumann, Professor of Geology in the Tookiyoo Daigakkoo and specially versed in paleontology, has at my suggestion and with the consent of the government kindly undertaken to make in his leisure moments a study of the fossils collected during our surveys in Yesso and Nippon (in addition to his own collection).

At the same time with the general reconnaissance, by the valuable aid of our assistants we are completing and correcting the surveys and very large and interesting maps of the oil fields; and hope very soon now, this season, not only to have worked out the geological structure (often very difficult) near the oil wells, but to have marked on the ground the places where the oil bearing beds are not too deep for practicable wells. After that and the final copying of their maps and sections and making them ready for publication, the assistants can very advantageously be employed in making similar surveys near mines, first the government mines and then private ones; and throughout their life I am sure there will be no lack of most useful occupation of that kind, and that the government will never find reason to regret that they have received their special training.

I have the honor to be,

Sir,

Your most obedient servant,

BENJ. SMITH LYMAN,

Chief Geologist and Mining Engineer.

Yedo, 14th June, 1878.

(Desp. No 25)

Ack'd send to Mr. Scanlan
C. P.

No 881. Wade

United States Legation,
Japan,
Tokei, October 17, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.

Enclosing Customs Report for July 1878. Imports exceed the exports in value $803,650^{oo}$, and the export of specie and bullion the import thereof $3442,082^{oo}$.

Enclosures.

Duplicate copies of the Customs Report for July 1878.

No 881.

United States Legation,
Japan,
Tokei, October 17, 1878.

Hon. William M Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose for your information the "Monthly Return of His Imperial Majesty's Customs of Japan for the month of July 1878."

I note that the value of the imports for the month was in excess of the value of the exports of domestic productions to the amount of yen Eight hundred

and

and three thousand six hundred and fifty (Yen 803,650 00/100) and the Export of bullion and coin was in excess of the import thereof for the month to the amount of yen Four hundred and forty two thousand and eighty two, showing a total balance for the month — against Japan of yen One million two hundred and forty five thousand seven hundred and thirty two — (yen 1,245,732 00/100)

I have the honor to be,

Sir,

Your obedient servant,

Wm. A. Burlingame

Wrader
Col. Morgan

United States Legation,
Japan,
Tokei, October 18, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to enclose herewith my statement of salary account for the Quarter ending the 30th ultimo.

Audited

I have the honor to be,
Sir,
Your obedient servant,
D. C. Stevens.
Secretary of Legation

Ack? Answ'd 23.

Ack. L. P

Wadden

No 882.

United States Legation,

Japan,

Tokei, October 18, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Mr Bingham makes further report of his correspondence in the case of Thomas Glass with Mr Van Buren, enclosing a copy a despatch to Mr Van Buren in relation to the deportation of American citizens from Japan.

Enclosures.

Mr Bingham to Mr Van Buren, Oct. 16/78.

No 882.

United States Legation,
Japan,
Tokei, October 18, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to acquaint you that in the case of Thomas Glass, recently convicted of a second misdemeanor before our Consul General and by him turned over to the Japanese Authorities to be dealt with by them, and who has also been recently imprisoned by the Japanese authorities and held to answer upon the complaint

of

of one Miller, as reported to you in my despatch No 875 of the 9th instant, to which, with its enclosures, I respectfully refer you, I beg leave further to report that Mr Van Buren, in a despatch to me dated the 3d instant, referring to the action taken by him in the premises, and especially referring to the case of Rappeport reported by me to the Department in my No 232, together with my correspondence with the Consul General, as published in the second part of Foreign Relations for 1875, pages 809-812, says of the Department Instruction No 193 therein mentioned:- "In

"the

"the case of Rogers deported
"some years ago by Consul
"Shepard, the Instruction (193)
"of the Department x x x a copy
"of which you kindly sent me
"(Mr Van Buren) I (the Consul
"General) understood as fully
"approving the action of the
"Consul". If the Consul General
understood said Department
Instruction No 193 to fully approve
the deportation of Rogers by Consul
Shepard, it is difficult to account
for the Consul Generals judgment
rendered on the 29th ultimo in the
case of Glass (a copy of which is
inclosed with my No 875) in which
he did not order the deportation of
Glass, but turned him over to the

Japanese

Japanese Authorities to be removed from the country; and it is still more difficult to account for the notice given by the Consul General in his official communication to Governor Nomura on the 7th of September last (a copy of which is enclosed with my No 875) to the effect that he withdrew his official protection from Glass and left the Governor "to deal with him".

You will observe in his No 850 (Second Part, Foreign Relations, 1875, page 810) the Consul General declared that no right to deport convicts "was "conferred upon me" (him) by the 4th article of the treaty, and, therefore, he (Mr Van Buren) informed the Governor that on the 30th of July, 1875,

"I

"I (he) should withdraw from him
"(Rappeport) my (his) official protection,
"leaving him to be deported or pun-
"ished for future offences by the —
"Japanese authorities."

It is also surprising that after
receiving my note 167 in 1875 above
mentioned, in which I gave the
Consul General my opinion, that
the Japanese Authorities had not the
power by the 7th article of the treaty
to deport, or subject to Japanese
jurisdiction and punishment —
American citizens convicted of felony
or twice convicted of misdemeanors
before our Courts, the Consul
General should three years there-
after proceed to repeat in Glass'
case what he had done in Rap-

Reports

reports, manifestly in contravention of all the instructions of the Department, as shown by my No 232 published by the Department.

Not content with his defence of his action in the premises by writing and publishing (as reported to me) through the press and contrary to Consular Regulations of 1874, paragraph 97, as stated in my No 875, Mr Van Buren on the 4th instant requested of me a copy of another Instruction of the Department referred to by Mr DeLong in a despatch dated the 26th of November 1870 to Mr Lyon, then our Consul at Kanagawa, in which Mr DeLong notified

Consul

Consul Lyon that under instructions
from the Department he deemed
it his duty to advise him as follows:
"You (Mr Lyon) cannot legally
"render judgments of deportation".
This despatch of Mr DeLong to
Mr Lyon is upon the records
of the Consulate at Kanagawa,
and its contents are known
to the Consul General. As the
Consul General had been advised
by me in my reply to him in 1875
to the same effect (see my No
167 second Part of Foreign Relations
1875 pages 811-812) and as the Depart-
ment had by the publication of my
No 232 in the same volume, pages
809-811, approved my reply, and
also my statement in my No 232

to

to the Department, viz: "It seems
"to me that my reply to the Consul
"General, and all that I have
"herein stated but reflects the
"results of my instructions hitherto
"received" &c., I replied to the
Consul General's request for a
further copy of Department in=
structions to the effect, that, in
my opinion, it was not needful
nor in accordance with my in=
structions to furnish him as
requested any further correspon=
dence on the subject with the
Department, a copy of my reply
No 67/1 and dated the 17th instant is
herewith.

Referring to my No 875
I beg leave to repeat what I

thereon

therein stated, that, in my opinion, there is no further legislation needed to fully enforce all our treaty obligations, and especially the 6th and 7th articles of the treaty of 1858. I desire to add that, so far as I am advised, this Government has never sought to deport a citizen of the United States upon his conviction before our Consuls, except upon the request of our Consuls, and that in no instance has this Government been requested by a Consul of any other Treaty Power to deport or punish its subjects or citizens convicted of crimes, although the 6th article of the treaty of 1858 with the Netherlands and the 8th article of the treaty

5

of 1858 with Russia are substantially the same as the 7th article of our treaty of 1858, (Treaties and Conventions with Japan, pages 77 and 94.)

Would it not be sufficient if the American Consul in Japan, after being duly notified by the Imperial Japanese Government that an American citizen convicted of a felony or twice convicted of misdemeanors in this Empire be required to leave the country, should, on the receipt of such notice through the American representative, cause such convict to come before him and order him within a time named, not

not to exceed one year, to de-
part the Empire, and, in default
thereof, that he stand committed
as provided in section 4101 —
Revised Statutes, page 795, until
he shall signify his readiness
to comply with such order, or
be discharged by a further
order of the Council with the
consent of the Minister in the
Country". This seems to me to be
all that is contemplated by the
7th Article of the treaty of 1858.

I have the honor to be,

Sir,

Your obedient servant,

Jno. A. Bingham

No 882.

Enclosure.

Copy.

No 671.

United States Legation,
Tokei, October 17, 1878.

Thomas B. Van Buren Esq
U. S. Consul General,
Kanagawa,

Sir:

Referring to your No 3521 of date the 3d instant in relation to the case of Thomas Glass, I note that speaking of Department Instruction in the case of Rogers, No 193, a copy of which was enclosed with my No 167 addressed to you in

in 1875 and made a part of my
said despatch, you say that you
understood that Instruction as
fully approving the action of the
Consul in the case of John
Rogers, I have to say that, in
my opinion, no action of Consul
Shepard was by that Instruction
approved, save the judgment
and sentence pronounced by
Mr Shepard against Rogers, viz:
"Of the crime charged the Court
"finds the prisoner guilty, and
"the sentence is that John Rogers
"be imprisoned at hard labor
"for the term of one year, and
"that he forfeit his right of residence
"in Japan".
The effect of all the Department

Instruction

Instructions to this Legation in relation to the trial and punishment, by deportation or otherwise, of Americans committing offences in Japan, is most clearly manifested by the action of the Department in publishing, without qualification, my No 232, of date June 7, 1875, to the Department, together with your note of May 25, 1875, and my reply thereto of the 7th June 1875 (Second Part of Foreign Relations 1875 pages 809-812) in which despatch (No 232) I said to the Department that "it "seems to me that my reply "to the Consul General enclosed herewith

"herewith and all that I have
"herein stated but reflects the
"results of all my instructions
"hitherto received, and especially
"the Instruction of the Departmt
"to my predecessor No 87 of date
"May 22, 1871, as well as No 193
"above mentioned". Deportation
of Americans upon conviction
of felony or several convictions
of misdemeanors committed
by them in Japan, is as
certainly a punishment in
the premises as is imprison-
ment or decapitation, and
the Department has officially
declared and published, as
quoted in my said No 232
that "the power of buying

"punishing" Americans in Japan for all offences committed by them there has been kept "in the hands of "our own Representatives." As the deportation of American citizens by our consuls in Japan as a punishment for crime has never been approved, but has been expressly disapproved by the Department Instructions to this Legation, it is not needful, nor would it be in accordance with my instructions to furnish you, as you request, with any further correspondence of the Department with this Legation on the subject.

J

I have further to add that the Imperial Government of Japan expressly disclaims any authority under existing treaties to try or punish, either by deportation or otherwise, citizens of the United States either before or after their repeated conviction of offences before our Consuls in Japan. I have, therefore, to advise you that until otherwise instructed, you should not adjudge that citizens of the United States shall be deported upon conviction of crimes before you, nor should you adjudge or order that they be handed over to the Japanese Authorities

to be removed from the country; nor should you give any notice to the Japanese officials that you withdraw your official protection from a citizen of the United States and leave him to be deported or punished for future offenses by the Japanese authorities.

I am, Sir,

Your obedient servant,

(Sgd.) Jno. A. Bingham.

Carefully
✓ Requisition must now be made

✓ Paper and envelope sent, and despatch acted for Jan 7. 1879.
Made

No 883.

United States Legation,

Japan,

Tokei, October 18, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject

Request for despatch paper &c.

No 883.

United States Legation,
Japan,
Tokei, October 18, 1878.

Hon William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to request that a supply of despatch paper and official envelopes may be forwarded to this Legation.

I have the honor to be,
Sir,
Your obedient servant,
Jno A. Bingham

No 884.

United States Legation,

Japan,

Tokei, October 18, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Mr Stevens absent from the Legation eighteen days on leave.

No 884.

United States Legation,
Japan,
Tokei, October 18, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to report that Mr Stevens, Secretary of this Legation, was absent in the country on leave granted by the Department — Eighteen days, viz: from the 24th ultimo to the 12th instant.

I have the honor to be, Sir,
Your obedient servant,
Jno A Bingham

No 885. Ltd'd with approval Dec 6. 1878. Wm Bell.

DEPARTMENT OF STATE
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79 SUPERIOR, NEBRASKA

United States Legation,
Japan,
Tokei, October 21, 1878.

Mr. Bingham
to the
Hon. Secretary of State.

Subject.

Mr Van Buren communicates to Mr Bingham the request of the Governor of Yokohama of the Consuls that, owing to the prevalence of cholera at Nagasaki, foreign vessels from that port be allowed to be visited by a Japanese medical officer and quarantined in case there is or has been cholera on board. The Consuls assent to the visit of a medical inspector,

but refuse to allow ships of their nationalities to be quarantined except by themselves. Mr Bingham considers that the Japanese Government has the right to enforce its quarantine laws against foreign vessels, and so informs Mr Van Buren.

Enclosures.

1. Mr Van Buren to Mr Bingham
October 19, 1878.

2. Mr Bingham to Mr Van Buren
October 19, 1878.

No 885.

United States Legation,
Japan,
Tokei, October 21, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

On the 19th instant I received from Mr Van Buren a despatch of that date, a copy of which is herewith (Enclosure 1) in relation to the request of this Government, made through the Ken Rei (Governor) of Kanagawa, to the effect that all merchant vessels arriving at that port from Nagasaki should be subject to inspection by a medical

officer

officer appointed by His Imperial Japanese Majesty's Government, and, upon ascertaining that the vessel so inspected was infected, or that any persons had died or suffered on board thereof from Cholera, that such vessel should go into quarantine, and that neither the crew, passengers nor cargo thereof should during such quarantine be landed, and assigning, as the necessity for this action, that Cholera had been prevalent in Nagasaki since the 2d instant.

You will observe that to this reasonable request the Consuls at Yokohama, as Mr Van Buren reports to me in his despatch herewith, were unanimous in consenting that the medical officer

might

might inspect such foreign vessels as might arrive in Yokohama from Nagasaki, but that no further steps should be taken until the Consul of the nationality of the foreign vessel so inspected should be satisfied from the certificate of a medical officer appointed by himself that the vessel is infected; nor should the crew be ordered into quarantine, save upon the order of such Consul.

I have replied to Consul General Van Buren that this action of the Consuls does not accord with the policy of the United States in Japan, nor with our obligations to respect and observe the laws of Japan, and

that

that the action of the Consuls is a substantial denial of the undoubted right of this Government to prevent the importation of pestilence by foreign vessels into the territorial waters

2/1885 of Japan, a copy of which reply to the Consul General I have the honor to enclose. (Enclosure 2)

It will occur to you that this Consular action puts it in the power of a single Consul to import pestilence into this capital against the laws of this Empire and the protest of every other nationality save that represented by such dissenting Consul!

It cannot be doubted,

in

in my opinion, that the right of the Japanese Government to prohibit and prevent from coming into its ports all ships infected with pestilence is as clear as its manifest right to prohibit and prevent from coming into its ports the armed vessels of a declared public enemy.

I respectfully submit this matter to your consideration, and request instructions thereon.

I have the honor to be,

Sir,

Your obedient servant,

M. A. Bingham

No 885.

Enclosure 1.

Copy.

No 3549.

U.S. Consulate General,
Kanagawa (Yokohama)
Oct. 19, 1878.

Hon. John A. Bingham,
U. S. Minister, Tokei.

Sir:

Being prevented by the storm, which seriously affects my health, from waiting upon you in person today, I beg to enclose you copy of a communication addressed to the senior of the Foreign Consuls here by the Ken Rei of Kanagawa upon the subject of the medical inspection &c. of vessels arriving from Nagasaki, and about which I wished to converse when I had the pleasure of meeting you. The Ken Rei's letter reads

as follows:

"Sir:

"I have the honor to inform you that as
"Cholera has been prevalent in Nagasaki since
"the 2d instant, I am desirous to have a
"medical officer visit all vessels ex-
"cepting men-of-war that come here
"via Nagasaki immediately on their
"arrival, in order to question the Captain
"and Doctor and ascertain whether any
"deaths or cases have occurred on board,
"and, if so, that neither crew, passengers
"nor cargo be permitted to land.
"Trusting that you and your colleagues
"will concur in this and oblige me
"with an early reply.

"I have the honor to be, Sir,
"Your obedient servant
(Sgd) Homura Yasushi

I find that the Consuls are unanimously agreeable to complying with the request of the Ken Rei so far as a medical inspection

of vessels is concerned, but insist that before any other steps can be taken the Consul of the nationality to which the particular vessel sought to be quarantined belongs must be satisfied by the certificate of a medical officer appointed by him that the vessel is infected and such placing on quarantine or other action must be directed by said Consul.

I have the honor to be, Sir,
Your obedient servant,
(Sgd.) Thos. B. Van Buren

1885.

Enclosure 2.

672.

United States Legation,
Tokei, October 19, 1878.

Thomas B. Van Buren Esq
U. S. Consul General,
Kanagawa.

Sir:

I have your note of this date in relation to the written request of the Ken Rei of Kanagawa of date the 8th instant, a copy of which you enclose. This letter of the Ken Rei is to the effect that the Japanese Government gives notice to the Consul at Yokohama that because of the prevalence of cholera in Nagasaki all vessels (Except men of war) arriving in the former port from Nagasaki are to be inspected by a medical officer appointed by this Government, and upon inquiry

such officer shall ascertain that persons have suffered, or that deaths have occurred on board from cholera, such vessel shall be put into quarantine, and neither the crew, passengers or cargo thereof be permitted to be landed.

I see no reason why this Government may not make an order to that effect, nor why such order should not be respected by you and every other Consul at Yokohama. I understand from your note that all the Consuls at the port concur in assenting to the medical inspection of such vessels, but insist that no further steps beyond the inspection can be taken, save by the action of the Consul of the nationality of the vessel inspected, who, upon the certificate of a medical officer to be appointed by him that the vessel is infected, will then decide whether the vessel shall be subject to quarantine. This qualification seems to imply that each Consul will decide

for himself whether a vessel of his nationality has been infected with cholera, or should be required to go into quarantine; thereby substantially declaring that a quarantine proclaimed by this Government in its own ports, is not to be respected by any foreign vessels, and that quarantine of foreign vessels, under all circumstances, within the territorial waters of Japan can only be declared by the consul of each nationality. This claim of the consuls severally to prevent a quarantine of foreign vessels in the port of Yokohama does not accord with the ~~policy~~ deferred policy of our Government towards Japan, nor with its obligations thereto, and it, in my opinion, a needless denial of the undoubted right of this Government to protect its people against the importation of pestilence into its

own waters by foreign vessels.

I have to request that you furnish me a copy of any correspondence on this subject which you may have had with the Ken Rei, and also a copy of any quarantine regulations which you may have received from him.

I am, Sir,

Your obedient servant,

(Sgd.) Jno. A. Bingham

Ack Nov 23

Ack -
L. P.

No 886. Inclosure

United States Legation,
Japan,
Tokio, October 21, 1878.

DEPARTMENT OF STATE
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FOREIGN Relations 79

Mr Bingham
to the
Hon. Secretary of State.

Subject.

The Chinese Ministers solicit the good offices of the United States Government with respect to the controversy between China and Japan in relation to Lew Chew. Mr Bingham promises to lay the matter before our Government.

Endorsees.

1. Chinese Ministers to Mr Bingham, Oct. 21/78.
2. Mr Bingham to the Chinese Ministers " " "

No 886.

United States Legation,

Japan,

Tokei, October 21, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose for your consideration and for such instruction in relation thereto as you may deem advisable a communication from Their Excellencies the Envoys Extraordinary and Ministers Plenipotentiary of the Imperial Government of China to this Court, in which the good offices of our Government are invoked under the First Article of 1858 at

1/886

Tientsin

Tientsin, to bring about an amicable
arrangement between Japan and
China in the matter of the Kingdom
of Lew Chew

In connection herewith I respectfully
refer you to my No 844, dated
the 2d ultimo, enclosing the
memorandum of the Lew Chew
officials.

I beg leave to enclose a copy of
2/886 my reply to the Chinese Ministers.

I have the honor to be,

Sir,

Your obedient servant,

Jno A Bingham

[Translation]

No 886. Enclosure 1.

To

His Excellency Hon. Bingham, Minister of the United States of America.

Sir,

The relations between our respective countries, have always been those of peace and concord, and since the interchange of Treaties have gone on increasing in intimacy. The first Article of the Treaty [of Tientsin] contains the following words:—
"There shall be, as there always has been, peace and friendship between the two Countries ..... and if any other nation should act unjustly or oppressively, the United States will exert their good offices, on being informed of the case."
Hence from the Rulers above to the people under them, the intercourse has been invariably characterized by sincerity, and there has never been a single word of discord. Ever since our first arrival in Japan, Your Excellency has bestowed upon us the [Chinese] Ministers, the greatest regard, and has treated us with unbounded cordiality, by which we have been most deeply impressed; and have repeatedly represented to our Government, our sense of the sincerity of the friendship [existing]

between

between our two Countries, and of the great courtesy shown [to us] by Your Excellency; and our Government has evinced great gratification thereat. Now that Your Excellency is about to return home on leave of absence, we have still a subject of importance, which we desire to lay before Your Excellency — namely the Memorial of the Lew Chewan Commissioners Mao Jung-lai and Ma Kien-tai, in which they state that; —

"Japan has within a few years [enforced its] oppressive rule upon our little state, and has taken upon itself to change our old established regulations. The Treaty which Lew Chew in the 5th year of Hsien Fung entered into with Commodore Perry of the United States Navy. Japan forcibly constrains us to deliver up to the Department of Foreign Affairs (of Japan,) and the tribute hitherto paid [by us] to the Chinese Empire, Japan has perversely prohibited and stopped. We [the Lew Chewan Commissioners] have already represented the state of the case to Your Excellency and begged you to exhort Japan to allow Lew Chew to remain in every respect as heretofore, and having been favored by Your Excellency with a personal interview, we [the Lew Chewan Commissioners] beg to memorialize the Supreme Authority of Your

Honorable

between our two Countries, and of the great Courtesy shown [to us] by Your Excellency; and Our Government has evinced great gratification thereat. Now that Your Excellency is about to return home on leave of absence, we have still a subject of importance, which we desire to lay before Your Excellency — namely the Memorial of the Lew Chewan Commissioners Mao Fung-tai and Ma Kien-tai, in which they state that; —

"Japan has within a few years [enforced its] oppressive rule upon our little state, and has taken upon itself to change our old established regulations. The Treaty which Lew Chew in the 5th year of Hien Fung entered into with Commodore Perry of the United States Navy, Japan forcibly constrains us to deliver up to the Department of Foreign Affairs [of Japan,] and the tribute hitherto paid [by us] to the Chinese Empire, Japan has perversely prohibited and stopped. We [the Lew Chewan Commissioners] have already represented the state of the case to Your Excellency and begged you to exhort Japan to allow Lew Chew to remain in every respect as heretofore, and having been favored by Your Excellency with a personal interview, we [the Lew Chewan Commissioners] beg to memorialize the Supreme Authority of Your

Honorable

Honorable Country in reference to the case as we have stated it that suitable action may be taken &c. &c. &c."

Your Excellency seeing the equity of the case will, we are confident, act with magnanimous public spiritedness, which will be looked upto by Lew Chew with the deepest [gratitude] for the condescension, and will be regarded by us the [Chinese] ministers as a most distinguished evidence of neighborly kindness.

We earnestly request that Your Excellency, upon arriving at home will personally memorialize the Supreme Government of Your Honorable Country with reference to the present state of the Affairs of Lew Chew, and will explain them minutely to Their Excellencies the Members of Congress, to the end that the Nationality and the [internal] Government thereof, may remain in every respect as heretofore. and we the [Chinese] ministers shall deem ourselves very possibly favored and happy. In sending this Special Communication we respectfully wish you present happiness.

Kwang-sü 4th year 9th moon 26th day [26th Oct. 1878.] {(Signed) Ho Jü-chang
{(Signed) Chang Sz-kwei

A true translation —

Attest D. Bethune McCartee
Foreign Secretary of
His Imperial Chinese Majesty's Legation

No 886.

Enclosure 2.

Copy.

No 673.

United States Legation,
Tokei, October 21, 1878.

Your Excellencies,

I have the honor to acknowledge the receipt of Your Excellencies' note of this day, which you were pleased to address to me, invoking the good offices of my Government

Their Excellencies
Ko Ju Chang and Chang Sz Kwei,
H. I. C. M. Envoys Extraordinary
and Ministers Plenipotentiary in Japan.

&c &c &c

Government in accordance with Article II of the Tientsin Treaty of 1858, in the matter of Lew Chew, now the subject of controversy between the Imperial Government of China and that of Japan, and also requesting me to represent this matter to my Government upon my return presently to the United States.

I beg leave to assure Your Excellencies that I will, upon my arrival in the capital of my country, take great pleasure in calling the special attention of my Government to Your Excellencies' request, and representing to the same your wishes as expressed in your communication, a copy of which transl-

lated

said I will also immediately for-
ward to my Government.

Accept, I pray Your
Excellencies, the renewed assurances
of my high consideration,

(Sgd.) Jas. A. Bingham

Mr Adee

No 887.

United States Legation,

Japan,

Tokei, October 21, 1878.

Mr Bingham

to the

Hon. Secretary of State.

Subject.

Acknowledging the receipt of

Instruction No 378, with enclosure.

Mr Adee

No 887.

United States Legation,
Japan,
Tokei, October 21, 1878.

Mr Bingham
to the
Hon. Secretary of State.

Subject.
Acknowledging the receipt of
Instruction No 378, with enclosure.

No 887.

United States Legation,
Japan,
Tokei, October 21, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to acknowledge the receipt of your Instruction No 378 with its enclosure, the additional certificate of appointment to Mr E. S. Benson as Vice Consul of the United States at Osaka and Hiogo.

I shall forward the certificate of appointment to Mr Benson by the next mail.

J

I have the honor to be,

Sir,

Your obedient servant,

Wm. A. Murphy

Informs E.J. Hasting's of Senatorship. Dec. 10. Mr Polk.

Note - Informs proper persons C.R

No 1.

United States Legation,
Japan,
Tokei, November 5, 1878.

DEPARTMENT OF STATE
DEC 6 1878
RECEIVED

Mr Stevens
to the
Hon. Secretary of State.

Subject.

Mr Maugum reports that Charles H. Cook (enquired after in Instruction 374) is not in Nagasaki; and Mr Harris reports the same as to Hakodate.

Mch - Inform proper persons
C R
Instructions E.J. Halsey & Co. Sandusky. Dec. 10. Mr Polk.

No 1.

United States Legation,

Japan,

Tokei, November 5, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Mr Mangum reports that Charles H. Cook (enquired after in Instruction 374) is not in Nagasaki; and Mr Harris reports the same as to Hakodate.

No 1.

United States Legation,
Japan,
Tokei, November 5, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to Instruction No 374, in which you directed Mr Bingham to make inquiries as to Charles H Cook, an American who was supposed to have come to Japan, and also to Mr Bingham's No 879 in reply thereto, I have the honor to inform you that Mr Maugum, our Consul at Nagasaki, reports that Mr Cook is not now in

Nagasaki

Nagasaki, and, so far as he can ascertain, has never been there.

I have seen Mr Harris, formerly United States Consular Agent at Hakodate, who informs me that he does not think that Mr Cook has been in Hakodate, and that he certainly is not now a resident of that place.

I have the honor to be,

Sir,

Your obedient servant,

D. W. Stevens

Ack - give to pers + C.R. made
C.P.

No 2.

United States Legation,

Japan,

Tokei, November 6, 1878.

DEPARTMENT OF STATE
DEC
6
1878
RECEIVED

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Customs Report for August. Import Excess exports 616.101 $\frac{249}{}$ yen. Export of specie and bullion in excess of import 204.002 $\frac{31}{}$ yen.

Enclosures

1. Duplicate copies of the Report.

No 2.

United States Legation,

Japan,

Tokei, November 6, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington, D.C.

Sir:

I have the honor to enclose herewith for your information duplicate copies of the Japanese Customs Report for August of this year.

From this report it appears that the total value of exports for the month was Two million two hundred and twelve thousand four hundred and fifty yen (2,212,450.213/) and that of the imports for the same time Two million eight

No 2.

United States Legation,
Japan,
Tokei, November 6, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to enclose herewith for your information duplicate copies of the Japanese Customs Report for August of this year.

From this report it appears that the total value of exports for the month was Two million two hundred and twelve thousand four hundred and fifty yen (2,212,450.213/1000) and that of the imports for the same time Two million eight

eight hundred and twenty eight thousand five hundred and fifty one $\frac{462}{}$ yen (2,828,551$\frac{462}{}$) a balance of Six hundred and sixteen thousand one hundred and one $\frac{249}{}$ yen (616,101$\frac{249}{}$) in favor of imports.

The value of the gold and silver coin and bullion exported during the month was Five hundred and thirty four thousand five hundred and fourteen $\frac{31}{}$ yen (534,514$\frac{31}{}$) imported, Three hundred and thirty thousand five hundred and twelve yen (330,512) excess of export Two hundred and four thousand and two $\frac{31}{}$ yen (204,002$\frac{31}{}$)

I have the honor to be,

Sir,

Your obedient servant,

D. W. Stevens.

Sent to War Dept for Signal Office Library 10 Mar 1879

Sick. War Dept for L.O. 6.P. Wilder

No 3.

United States Legation,

Japan,

Tokei, November 6, 1878.

DEPARTMENT OF STATE
DEC 6 1878
RECEIVED

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Enclosing tables of meteorological observations from 10th June to 13th August last and for the months of July and June.

Enclosures.

1. Tables of observations 10th June - 13th Aug.
2. Summaries for May and June.

No 3.

United States Legation,
Japan,
Tokei, November 6, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

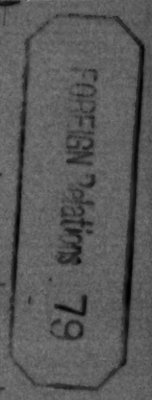
I have the honor to transmit herewith tables of meteorological observations, taken at the Imperial Observatory in this city, from the 10th June to the 13th August last inclusive, and also summaries of the observations for the months of July and June of this year.

I have the honor to be, Sir,
Your obedient servant,
D. W. Stevens

Ack.
C.P

Wade

No 4.



United States Legation,
Japan,
Tokei, November 9, 1878.

Mr Stevens
to the
Hon. Secretary of State.

Subject

The Japanese Government, on account of an outbreak of Asiatic cholera at Nagasaki, issue quarantine regulations, to which Mr Bingham gives his assent and which Mr Stevens notifies to United States consuls.

Enclosures.

1. Quarantine Regulations.
2. Mr Stevens to Mr Terashima, Oct. 29. 1878.

No 4.

United States Legation,

Japan,

Tokei, November 9, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington, D.C.

Sir:

An outbreak of Asiatic cholera in Nagasaki, now, happily, reported to have abated, induced the Japanese Government to issue temporary regulations for the medical inspection of vessels coming from that port to Yokohama and Kobe. These regulations were transmitted to Mr Bingham by His Excellency the Minister for Foreign Affairs on the 24th ultimo, and were approved

approved by him. On the 29th ultimo I notified Mr Terashima of Mr Bingham's approval of the regulations, and also sent a copy thereof to Consul General Van Buren, directing him at the same time to forward copies to our Consuls at Nagasaki and Kobe.

1/4 I have the honor to enclose a copy of the regulations and also
2/4 a copy of my despatch to His Excellency the Minister for Foreign Affairs (Enclosures 1 and 2.)

I have the honor to be,

Sir,

Your obedient servant,

D. B. Stevens.

No 4.

Enclosure 1.

Copy.

Now as Asiatic Cholera is prevailing at the port of Nagasaki, all vessels coming from that port must submit to medical inspection at Kobe and Yokohama according the following temporary regulations.

Article I.

Outside of Wadano-Misaki for Kobe and outside of Yokosuka bay for Yokohama guard ships displaying signal flags are posted, and medical officers will board and inspect all vessels coming from Nagasaki, and the said vessels are required to stop and submit to medical inspection.

In case any vessel is prevented from stopping for inspection by stormy weather, such vessel will be required to submit to medical inspection after entering the port.

Article VI.

The Captain or person who has control of any vessel coming from Nagasaki will be required to answer all questions by the medical officers, and afford every facility to such officers in discharging their duties.

Unless permission is first obtained from the medical officers after due inspection, no person on board said vessel will be allowed to communicate directly with the shore or other vessels.

Article VII.

When any cholera patient or dead body is found on board, the vessel will be required to anchor at some anchorage designated by the medical officers, and the patient will be removed to the quarantine hospital, and the dead will be buried at some place designated by the medical officers after disinfection.

Article IV.

All persons on board said vessels will be landed at a place prepared for the purpose (Wadano-Misaki for Kobe and Nagawoora for Yokohama) where the disinfecting process will be properly carried out, and all clothing bedding, luggage etc. will be delivered to the owners after disinfection.

The mode of disinfection for merchandise on board vessels will be subject to the discretion of medical officers.

Article V.

If, after medical inspection, no case of cholera is found, and there are no dead bodies on board, and the sanitary condition of the vessel is deemed by the medical officers to be satisfactory, the vessel will be allowed to enter the port directly.

Although no case of cholera or dead body is found on board, if the vessel is in a filthy condition, so that infection is feared, suitable disinfection

shall be performed.

Article VI.

After inspection has been finished, the medical officers will give a certificate to that effect.

No 4.

Enclosure 2.

Copy.

United States Legation,
Tokei, Oct. 29, 1878.

H.E. Terashima Munenori,
H.I.J.M's. Minister for Foreign Affairs,
Sir:

I have the honor to acknowledge the receipt of Y.E. communication of the 24th instant, addressed to Mr Brigham and covering regulations for the medical inspection of vessels entering the ports of Yokohama and Kobe from Nagasaki, where Asiatic Cholera now prevails.

No 4.

Enclosure 2.

Copy.

United States Legation,
Tokei, Oct 29, 1878.

H. E. Terashima Munenori,
H. I. J. M's. Minister for Foreign Affairs,
Sir:

I have the honor to acknowledge the receipt of Y. E's. communication of the 24th instant, addressed to Mr Brigham and covering regulations for the medical inspection of vessels entering the ports of Yokohama and Kobe from Nagasaki, where Asiatic Cholera now prevails.

Y.E's despatch was received at the moment of Mr Bingham's departure for the United States, but before leaving he instructed me to inform you that the regulations forwarded to him by Y.E. should be notified to the U.S. Consular Officers at Yokohama, Kobe and Nagasaki as obligatory upon American shipping coming from Nagasaki to Yokohama and Kobe.

I shall, accordingly at an early day forward a copy of the regulations to the U.S. Consul General at Yokohama, and direct him to transmit copies thereof to the U.S. Consuls at Nagasaki and

Kobe.

I have the honor to be,

Sir,

Your obedient servant

(Sgd.) D. C. Stewart.

Ack. 6. P.

No 5.

DEPARTMENT OF STATE
DEC 6 1878
RECEIVED

FOREIGN AFFAIRS 79

Mr Stevens.

to the

Hon. Secretary of State.

Subject.

The Japanese Government issue regulations for the control of the importation of opium and its sale in Japan. The foreign press comment unfavorably upon these regulations as a violation of the extra-territorial privileges of foreigners. It is understood that the British and French Ministers share this view of the case.

Enclosures

Enclosure.

Duplicate copies of the Regulations.

Extracted from the Japan

Daily Herald, October 24, 1878.

No 5.

United States Legation,
Japan,
Tokei, November 9, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

On the 23d ultimo His Excellency the Minister for Foreign Affairs forwarded to Mr Bingham a copy of regulations whereby the Japanese Government seeks to control the importation of opium and its sale by foreign apothecaries in this Empire.

The several articles of the regulations provide for the vending

of medicinal opium by the Imperial Japanese Laboratories to licensed apothecaries in quantities not to exceed five ounces upon each application; for the resale of such opium by apothecaries only upon physicians' certificates or prescriptions; for the examination of such certificates and prescriptions by Japanese officials, and for the refusal to sell opium to any apothecary who shall fail to observe the conditions of the regulations.

The Japanese Government on the 24th ultimo, and for several days thereafter, caused these regulations to be published in the foreign newspapers at Yokohama; I have the

1/ honor to enclose herewith duplicate

copies

copies of such publication as it appeared in the Japan Daily Herald.

The regulations have given rise to considerable comment in the foreign press here, generally of an unfavorable nature. It is said the regulations, especially Article Six, are a violation of the extra-territorial rights of foreigners. I understand that this is the view taken by the British and French Ministers, who are directly interested, as of the four apothecaries in this city and Yokohama three are English and one French.

I have the honor to be, Sir,

Your obedient servant,

D. C. Stevens.

No 5.

Enclosure (duplicate)

Extract from the Japan Daily Herald,
October 24, 1878.

REGULATIONS
FOR THE
SALE OF OPIUM.

PERMISSION to Foreigners for obtaining OPIUM for MEDICINAL PURPOSES only, will hereafter be granted by the Japanese Government in accordance with the following Regulations.

ART. 1.—Supplies of Opium can be obtained only at the open ports and cities in Japan, on application to the Imperial Japanese Laboratories (*Seiyakujo*) under control of the Home Department; or where no such Laboratories exist, to the Local Government offices.

ART. 2.—Opium will be supplied only to those who are licensed by their respective Governments as apothecaries.

ART. 3.—The Opium to be supplied as above, shall, in the dried and powdered state, contain from 8 to 12 per cent of morphine, and each package will be labelled with the stamp of the Imperial Japanese Laboratory.

The quantity of Opium to be supplied at one time shall not exceed 40 monmes (about 5 ounces).

ART. 4.—Any apothecary who wishes to obtain a supply of Opium must apply in writing, setting forth his name, residence, nationality, and date in full, on application together with the quantity of Opium which he requires

ART. 5.—Apothecaries who have been supplied with Opium as above provided, shall sell the same only to such persons as are provided with the prescription of a physician, or to any physician, upon his written certificate that the same is required for his professional use. The sale of Opium to any other person is strictly forbidden.

ART. 6.—Any apothecary requiring a further supply of Opium, shall, on every application to the Imperial Laboratory, produce a statement showing the quantity of Opium previously supplied by the Laboratory to him, and the quantity sold by him, and also the total quantity used by him in preparing and compounding medicines, out of the amount so received, together with a statement of the quantity remaining on hand.

Certificates and prescriptions of physicians referred to in the preceding article, and also the statement describing the medicines compounded, together with the quantity of Opium used in their preparation, as stated in the present article, shall be kept for examination by the officials of the Japanese Government, whenever required.

ART. 7.—Any apothecary failing to produce the statements alluded to in the 6th article, or who shall sell or transfer Opium to persons not provided with the prescription of a physician, or to a physician without his written certificate, indicating that the same is required for his professional use, shall be denied any further supply of such Opium; and apothecaries suspected of having disposed of Opium for smoking purposes, shall also be denied a further supply of Opium.

CENTRAL SANITARY BOARD,
Imperial Japanese Home Department.

The 24th day of the 10th month
of the 11th year of Meiji.

P.S.—The foregoing regulations will be in force in Tokio and Yokohama from the 28th day of the 10th month at this office; and due notice of the time when they will come into force at the other ports and cities will be given at the Government Laboratory, or at the Local Government Offices in each open port and city.

Orig. & encl. sent to F.

√ See letter to Secretary Rollins, Feb. 10, 1879 add'a

Ack C. P.

No 6.

made

United States Legation,

Japan,

Tokei, November 11, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Captain von Eisendecher, German Minister in Japan, informs Mr Bingham that the German Govt. cannot consent to his acting as umpire in the "Peiho" case.

Enclosure.

Capt. von Eisendecher to Mr Bingham,

September 15, 1878.

No 6.

United States Legation,
Japan,
Tokei, November 11, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to enclose herewith a copy of a letter to Mr Bingham received yesterday from His Excellency Captain von Eisendecher, German Minister Resident in Japan, from which it appears that the German Government cannot give its consent to the acceptance by Captain von Eisendecher of the appointment

appointment as umpire in the matter of the claim of J. M. Batchelder against the Japanese Government for the seizure and detention of the steamer "Peiho."

The circumstances of the appointment of Captain von Eisendecher as umpire in this case upon the failure of the arbitrators, Messrs H. W. Denison and Sano Tsunetami, to agree upon an award, and the qualified acceptance of the trust, were stated at length in Mr Bingham's despatch No 788, dated May 1st 1878.

I have the honor to be, Sir,

Your obedient servant,

D. B. Stevens.

No 6.

Enclosure.

Copy.

Berlin, September 15, 1878.

(Received November 10.)

Monsieur le Ministre:

I have the honor to inform Y.E. that, to my sincere regret, I am unable to act as umpire in the Reiss case.

My Government being opposed on principle against Germen Representatives accepting such a position and having previously refused similar requests, finds itself unable to sanction my acting as umpire.

H.E. John A. Bingham
etc. etc. etc. Tokio.

Fully appreciating the confidence placed in me by Y.E. and the Government of the United States, the German Government deeply regrets to be compelled to withhold its sanction in the present case; but it cannot grant to one friendly Government what it has refused to others.

I send a similar communication to the Minister of Foreign Affairs in Tokio, and shall not fail to return all the documents relating to the Peiho case.

I have the honor to renew to Y.E. the assurance of my highest consideration.

(Sgd.) Von Eisendecher

Mr Adee

File

No 7.

United States Legation,
Japan,
Tokei, November 16, 1878.

Mr Stevens
to the
Hon. Secretary of State.

Subject.

Acknowledging the receipt of Instruction No 379 and of Treasury Circular of July 29, 1878, relative to tourists' effects.

No 7.

United States Legation,
Japan,
Tokei, November 16, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

I have the honor to acknowledge the receipt of Instruction No 379 and also of the Circular of the Honorable the Secretary of the Treasury, dated July 29, 1878, relative to the effects of tourists returning to the United States.

I have the honor to be, Sir,
Your obedient servant,
D. A. Bellows.

Trade

Ask C.P

No 8.

United States Legation,

Japan,

Tokei, November 16, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Customs report for September. Excess of imports 750,184 $\frac{315}{}$ yen; of bullion, specie &c. exported 20,266 $\frac{23}{}$ yen.

Enclosures.

Duplicate copies of the September Report.

No 8.

United States Legation,
Japan,
Tokei, November 16, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

The Japanese Customs report for the month of September last, duplicate copies of which are herewith enclosed, shows an excess of imports over exports for that month of yen Seven hundred and fifty thousand one hundred and eighty four 315/ (750,184 315/) and a surplus in the value of coin, bullion &c. Ex-

ported

posted over that imported of
you Twenty thousand two hundred
and sixty six 23/. (20.266 23/)

I have the honor to be,

Sir,

Your obedient Servant,

D. W. Stewart.

Enclosure with Ltr from War Dept Dec 24.

Secretary of War 24 Dec 1878 Mr Peck

War Dept for S.O.

W Adee

No 9.

United States Legation,

Japan,

Tokei, November 16, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Enclosing meteorological tables from 14th August to 12th October and summaries for July, August and September.

Enclosures.

1. Meteorological tables 14th Aug. - 12th Oct.

2. Summaries for July, August and September.

No 9.

United States Legation

Japan,

Tokei, November 16, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington, D.C.

Sir:

I have just received and
1/9 beg to transmit herewith tables
of meteorological observations taken
at the Imperial Observatory, Tokei,
from the 14th August to the 12th
2/9 October last, and summaries for
the months of July, August and September 1878.

I have the honor to be, Sir,

Your obedient servant,

D. C. Greene

Ask Library
7.

made

No 10.

DEPARTMENT OF STATE
DEC 19 1878
RECEIVED

FOREIGN AFFAIRS 79

United States Legation,
Japan,
Tokei, November 21, 1878.

Mr Stevens
to the
Hon Secretary of State.

Subject.

The completion of the progress of the Emperor through various parts of the country. Reception of the Diplomatic Corps on his return. Political significance of the progress. Object of the Government to better the condition of the common people and to increase the Emperor's personal popularity.

No 10.

United States Legation,
Japan,
Tokei, November 21, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

The return of His Majesty the Emperor on the 9th instant, after a progress the longest he has yet undertaken, was made the occasion of a reception of the Diplomatic Corps today at the Imperial Palace. The Representatives of the Treaty Powers, through the Doyen of the Corps — Sir Harry S. Parkes, Her Britannic Majesty's Minister, felicitated His

Majesty

Majesty upon his return to the capital and upon the happy auspices attending the progress just completed. The Emperor thanked the Foreign Representatives for this manifestation of good will, and expressed a wish for the continued health and welfare of the heads of their respective Governments.

The recent progress of the Emperor occupied nearly two and a half months, and during that time he visited some of the most distant parts of the Empire. His journey was first directed through the rich provinces of Joshin and Shinshin to the port of Niigata on the west coast. Thence he proceeded south,

partly

partly by the west coast and partly by the Nakasendo, or central mountain road, to Kioto, whence he returned to Tokei by the Tokaido, the road near the eastern coast.

His Majesty was received throughout his progress with manifestations of loyalty and cordial good will. Extensive preparations were everywhere made for his reception; new roads were constructed, old ones repaired and fine bridges built; the towns and villages through which he passed wore a holiday dress, and the people collected by thousands, most of them to see their Sovereign for the

the first time.

The progress of the Emperor undoubtedly has a political significance. The past few years have seen Japan torn by internal strife, and even now the spirit of discontent does not seem to have been allayed. The recent radical changes in the Empire have of necessity borne hardly upon some of the people, and upon none more heavily than upon the ancient military caste, the samurai. Four rebellions within as many years; the revolt and tragic death of men who were foremost in restoring the Emperor to the

full

full power of his throne, bear witness to deep seated disaffection. During all these troubles, it has been the first effort of the discontented to impress upon the minds of the people the belief that rebellion was directed, not against the Emperor, whom they held sacred and whose authority they did not dispute, but against the Counsellors who surrounded him. Ufeto made this plea in 1873; Mayebara repeated it two years later; while Saigo boldly declared that the Emperor was a prisoner in the hands of evil minded men, who did in his name what he really never sanctioned.

To

To counteract influences such as these, it has been the evident desire of the present Ministry to appeal to the body of the nation, and to show them that their Sovereign has a strong personal interest in the welfare of the whole people. One by one privileges formerly the badges of the samurai, have become accessible to the heimin, or lower orders; the army and navy, once peculiarly the domain of samurai alone, are now open to the common people, and the highest offices of state can be attained to by the humblest.

The

The task undertaken has been one of unification and education; the unification of what were until recently semi-independent, feudal clans, loosely connected by a vague sentiment of loyalty towards a Sovereign too far withdrawn to elicit strong personal interest; the education of the great body of the people to a sense of the rights, and the consequent duties, which are theirs as subjects of the Empire. By visiting their homes, worshipping at their temples, displaying interest in their schools, their manufactures, arts and agriculture, the Emperor has no doubt created a bond of personal esteem between himself

himself and many of his people, to whom otherwise he would have been little more than a name.

While it would be idle to represent Japan as having attained the goal at which she aims, or even as having more than begun the difficult later of revolutionizing not only many of the customs but the habits of thought of a whole nation, it will be acknowledged that many commendable measures have been taken, none, I am convinced, wiser or more likely to lead to good results than the recent progress of the Emperor.

I have the honor to be,

Sir,

Sir,

Your obedient servant,

D. W. Stewart

[Legation of the U.S. — Japan]

Sent to Mr. Polk

Pittsburgh Pa. Nov. 23 1878

Gen. William H. Grant

Dear Sir: I beg leave to acquaint you of my arrival in this city with my family, having availed myself of the leave of absence, which, upon my request, you were pleased to grant me.

In the course of a few weeks, I hope to be able to pay my respects in person, to the President and yourself.

Until I visit Washington, all communications addressed to me here, will reach me.

I am, Dear Mr Grant,

Faithfully yours

Jno A Bingham

DEPARTMENT OF STATE
NOV 25 1878
RECEIVED

Rec'd January 7

Madan

FOREIGN Relations 79

No 11.

United States Legation,
Japan,
Tokei, November 23, 1878.

Mr Stevens
to the
Hon. Secretary of State.

Subject.

Disagreement between Japan and Corea on account of duties imposed by the latter on trade between the two countries. Departure of Mr Hanabusa on a Japanese iron-clad to demand explanation and present ultimatum.
Kind treatment of the crew of a British shipwrecked vessel by the Coreans.

No 11.

United States Legation,
Japan,
Tokei, November 23, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

On the 20th instant the Japanese ironclad "Hiyei-Kan" left the port of Yokohama, having on board Mr Kanabuda, one of the principal Secretaries of the Foreign Office and Chargé d'Affaires to Corea. The destination of the "Hiyei-Kan" is the port of Fusan in Corea, and it is said that Mr Kanabuda's mission is to demand

demand an explanation of the recent action of the Korean Authorities with reference to the trade of that country with Japan.

Fusan is the place designated by the treaty between Japan and Korea as one of the open ports. A number of Japanese merchants have taken up their residence there, and a trade small at first but steadily growing, has, through their medium, been carried on between the two countries. The exports consist principally of seaweed, ginseng, orchides and bones, while the imports are mainly of cotton goods and a few cheap articles

of

of foreign merchandize. The Corean Government has lately, in open violation of treaty stipulations, imposed a duty of twenty per cent upon both imports and exports. This duty amounts virtually to a prohibition of trade. Continued, as it has been, notwithstanding the protest of the Japanese Authorities and merchants, it displays a desire to end intercourse which the Coreans have never pretended to conceal was distasteful to them. The Japanese Government, on the other hand, deplores this obstructive policy, and is apparently determined to insist upon its treaty rights, even at the cost of war. It is

reported

reported, and generally believed, that Mr Kanabuse was the bearer of an ultimatum, the rejection of which, it is understood he is instructed to say, will lead to hostilities on the part of Japan.

In pleasing contrast with the short-sighted policy of the Koreans Government, as above noted, is the humane disposition shown by some of their nationality towards the crew of the "Barbara Taylor," a British merchant vessel recently wrecked at the island of Quelpart on the coast of Korea. The Koreans have not hitherto had an enviable reputation for their treatment of those who have been unfortunate enough to be shipwrecked upon their coast. But in the case of the

"Barbara

'Barbara Taylor' they acted in a most friendly manner, saving the crew, saving the cargo, providing transportation for both to Nagasaki, and, finally, refusing to accept any compensation for their kind conduct.

I have the honor to be,

Sir,

Your obedient servant,

D. W. Stewart

Japan. Wash

Pittsburgh 20 Nov 1878

My Dear Mr Evarts I am just in the receipt of your kind note of the 20th with which you acquainted me of the packages in the Department addressed to Mrs Pingree for the United States Legation, Yokio, and requested me to inform you whether I received the transmission of the packages to Japan. In answer to your enquiry I beg leave to say that I would be greatly obliged if you would transmit the packages to the Legation in Japan.

Hoping to see you either in Pittsburgh or Washington, I thank you for your courtesy I am Dear Sir very truly Yours

Mrs A. Pingree

Wm M. Evarts Esq
or
State Department
Washington DC

P.S. Forward my letters which may reach the Department for me, to Pittsburgh Pa.

Mrs S. Pingree
Answer and say the package will be sent
Via San Fran
Mr Polk
Package sent to Japan Nov 7
DEPARTMENT OF STATE
DEC 2 1878
RECEIVED

Ask L.P. order

No 13.

United States Legation,
Japan,
Tokei, December 24, 1878.

DEPARTMENT OF STATE
JAN
11
1879
RECEIVED

Mr Stevens
to the
Hon. Secretary of State.

Rec'd 1-1879

Subject.

Has forwarded to Mr Benson his additional certificate of appointment as Vice Consul at Osaka and Hiogo, and returns the original certificate.

Enclosure.

Certificate of appointment
January 29, 1878.

No 12.

United States Legation,
Japan,
Tokei, December 2, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to Instruction No 378, with which was enclosed a fresh certificate of appointment for Mr E. S. Benson as Vice Consul of the United States at Osaka and Hiogo, I have the honor to inform you that I have forwarded the said certificate to Mr Benson, with an exequatur obtained from

from the Japanese Government, and am in receipt of the certificate of appointment first issued to him, which I beg to return herewith.

I have the honor to be,

Sir,

Your obedient servant,

D. W. Stewart.

File.

Holden

No. 13.

DEPARTMENT OF STATE
JAN 11 1879
RECEIVED

FOREIGN Relations 79

United States Legation,
Japan,
Tokei, December 7, 1878.

Mr Stevens
to the
Hon. Secretary of State.

Subject.

Mr Satow, of the British Legation, is sent to thank the people on the island of Quelpart for their kindness to the shipwrecked crew of the "Barbara Taylor". Mr Hanabusa's departure on the "Kiyei-kan" was hastened by the Japanese Government under the impression that Mr Satow's mission had another object than that announced. The tone of the Japanese press concerning Corean affairs

affairs has moderated, and violent measures are deprecated. Allusions to Russia, in connection with this affair, in the English press.

Enclosures.

Extract from the Hichi Hichi Shumbun November 27 (translation in duplicate)

No 13.

United States Legation,
Japan,
Tokei, December 7, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington, D.C.

Sir:

Referring to my No 11 in relation to the departure of Mr Kanabusa on the Japanese men-of-war "Hiyei-Kan" for Corea, and the rumored probability of difficulty between that country and Japan on account of the imposition by the Corean authorities of a tax upon imports and exports, I have the honor to inform you that on the 19th instant

assistant Mr E. M. Satow, Japanese Secretary of the British Legation, left Nagasaki in Her Britannic Majesty's ship "Egeria" for the island of Quelpart on the Corean coast. The ostensible object of Mr Satow's mission was to thank the Coreans for their kind conduct towards the crew of the British merchant vessel "Barbara Taylor", to which I alluded in my No 11. I have learned from a trustworthy source that Mr Kanabuse's departure was hastened on receipt of the news of Mr Satow's intended journey, and that the Japanese Government ascribe to the despatch of the "Egeria" another, or, at least, an additional object to that made

public

public. It does not seem probable, however, that Mr Satow can at the most do more than report to his Government the condition of the Japanese colony at Fusan, and, perhaps, the attitude which the Koreans would presumably assume should advances be made for the object of concluding a treaty with them.

There has been a decided change in the tone of the Japanese press with reference to the Korean question since last I wrote upon this subject. I enclose an extract from the Nichi Nichi Shimbun, the semi-official organ of the Government, in which the writer argues that the independence of

Korea

Corea is necessary to the well-being of Japan; that friendly relations should be maintained with the Coreans, and that, while they must not be allowed to continue their obstructive policy, every effort should be made to induce them to enter into a just tariff convention by which the interests of both countries will be promoted. The demand for immediate redress for the alleged violation by Corea of the treaty rights of Japan, which lately seemed to be the general sentiment of the press and people of the capital, has given place to milder counsels, and there now appears to be a disposition to avoid anything more violent than diplomatic remonstrance

remonstrance.

A curious feature of the discussion which has arisen upon this question in the foreign and native press, is the allusion made by certain of the English editors to Russia and her relations with Japan. The Russian bug-bear, if I may be allowed the expression, has on this occasion been paraded before the Japanese with a solemnity which would be impressive were it not ludicrous. Japan is warned of the imminent danger in which she stands from her proximity to Russia, and it is intimated, by no means ambiguously, that in these perilous times

times Great Britain is her natural friend. The manner in which Russia is thus made to do duty on all occasions and under any pretext, was amusingly illustrated by a recent article in the Japan Weekly Mail, a journal generally considered the exponent of the cultured English class in Japan. Speaking of the rumor that the Russian Government is about to despatch several men-of-war, of improved armament &c., to these waters, the editor of the Mail gravely remarks - "These news are more "threatening to Japan than to "England. We can increase our "squadron in the Pacific and

China

"China bear with ease and give
"our commerce the requisite
"protection. But if Russia
"choose to seize Yezo or the
"Tsushima group as a base
"of operations, how do the
"Mikado's advisers imagine they
"could stop her?" The fact that
the relations of Russia and
Japan are most friendly, and
that there is not even the shadow
of a probability that Russia
will perpetrate such an act
of gross treachery and injustice
as that intimated, seems to
have no weight with writers like
the editor of the Mail. While,
of course, the manifest bias
and inconsequence of such

assertions

assertions are their best answer,
it is to be regretted that their
constant repetition has led
certain writers of the native
press to indulge in reflections
upon a friendly Power which
are as discreditable to their
good sense as they are to
their fairness.

I have the honor to be,
Sir,
Your obedient servant,
D. L. Stewart

No 13.

Enclosure - duplicate.

Translation from the Nichi Nichi Shimbun
(from the Japan Gazette) Nov. 27/78.

(From the *Nichi Nichi Shimbun.*)

Mr. Hanabusa, Chief Secretary of the Foreign Office, the Envoy to Korea, left by the corvette *Hi Yei Kwan*. Previous to his departure the Korean Government imposed heavy internal taxes on imports and exports with the intention of causing the cessation of trade with Japan. The merchants in Fusan were much distressed by this new system of levying taxes and the general notice of Japan has been given to the discussion of measures for best to deal with the Koreans. One opinion is that, as the Korean authorities attempt unreasonably to compel Japanese to retire from their country and to stop all communication by the imposition of taxes, we are justified in threatening them by a display of force; or to compel them to agree to our proposals in regard to the tariff in order to protect our interest and advantages. Others take quite different views urging that, as Korea is a young country, she does not know what trade means—whether it is advantageous or injurious—and the Japanese may endeavour to lead the obstinate Koreans to follow the example of more civilised nations: thus owing to differences in opinion as to what should be done there is also a wide difference in opinion as to the mission of the Envoy, now on his way to Fusan.

We consider that, although the purpose of the Envoy is not known, as diplomatic affairs of this sort are kept secret, it may be the object of the Government to compel Korea to conform to proposals from us that are supported by a threatening parade of force. This may be, but tariff and trade regulations to promote and preserve mutual benefit and convenience, are expected to be arranged by a conference to take place between the Envoy and the Korean authorities. We understand this from the reason that as far as we are concerned in Korea, Japan and that peninsula have most important influences on eastern countries, and we must endeavour to avoid any jealous misunderstanding between Japan, China, and Korea, in order to preserve the most friendly relations. The new system of levying taxes adopted by the Korean authorities is not for the purpose of protection, but merely to stop trade. As it is an extraordinarily heavy tax it must be reduced more or less, but we do not desire to compel the Koreans to adopt a tariff of the lowest rate merely for our own advantage. The general condition of trade in Fusan for the

past year, shows it to be very dull, although a few kinds of imports and exports are increasing on a small scale. It is therefore hopeless that Korea will become a treasury for Japan in the future. Notwithstanding we cannot abandon this poverty-stricken country if only for the reason that it lies in a position of the utmost importance for Japan, it must not be annexed or occupied by any other power. With this necessity before us it is most prudent for us to conduct our negotiations in a manner calculated not to inspire the Koreans with hostile feelings towards us. Since the years of Bunroku, (1591-95) in which Hideyoshi made an expedition to Korea, the Japanese and Koreans have been unfriendly; and the latter nation was compelled to sign the treaty of friendship with us against their wish. Let us consider the general feeling and condition of Japan twenty years ago. What aversion had we shown to foreigners? What opposition did we show to trade? On these considerations we can, without difficulty, found an opinion upon the action of Korea with regard to foreign intercourse. Therefore we have a right to expect that a tariff should be framed for the convenience of both parties, as was done here by the late Mr. Townsend Harris, Minister for the United State. This should be explained to the Koreans for it is an important matter for us at present to let the Koreans know thoroughly our views on the subject.

As we have pointed out in the *Nichi Nichi Shimbun* of previous dates, the Eastern question has gradually advanced further east reaching the centre of Asia; and it will appear in Korea in the future. For several years Russia intended to add Turkish empire to her dominions and to possess Constantinople. The reason why Russia is so greedy for possession of the Ottoman capital is that the city is so situated as to command the Mediterranean sea, and it would give Russia opportunities to attack Southern Europe. Korea is the Turkey of the east of Asia, and Fusan is Constantinople. If it falls into the hands of Russia, and her land forces can join the naval transports and navy at Fusan, Russia will then have no difficulty in advancing toward Japan on one side while she can also threaten China on the other. Since 1856 she has extended her dominions in the north of China, and added various provinces in Central Asia, but as she has possessed no good harbour in the east, she cannot satisfy her voracious and savage greed in that direction. In winter Russian harbours in Europe are frozen up and her men-of-war are locked up for more than half the year. Napoleon Bonaparte said that if he permitted Russia to possess Constantinople, he should secure another ally, but that ally would soon become the sole ruler of the world. From that time the change in the possession of Constantinople has taken place, the integrity of this important position being secured by the treaty of Berlin. If Russia takes possession

of Korea in the east of Asia she will be a robber. This matter is a most important question to eastern countries, all of which will suffer by Russian aggression.

'Korea occupies an important position in the East. When we have to discuss the question of the East, we must consider by whom the peninsula may be governed in order to preserve peace and the balance of power. If it be found advantageous to leave Korea to govern her own subjects as an independent state, we must then consider under what conditions she will exist. Since Russia first began to cast avaricious eyes upon Korea, several years have elapsed. Glancing back to 1861, the Russian man-of-war *Ashirotte* arrived off the coast of the island of Tsushima, where the Russians landed and formed camps under pretext of repairing their vessel. This occurred in February. At this time, the allied troops of England and France were engaged in war with China. Russia declared her resolve to be neutral, but she was ready to enter into alliance with either of the contending powers whenever she saw it would be advantageous. In order to prevent Russia from aiding China, it was most important for England to station her troops at Tsushima or Korea. Admiral Kazakavitch, Commander of the Pacific fleet of Russia, having heard of this movement, ordered the Captain of the *Ashirotte* to occupy the island of Tsushima, where the British vessels followed by command of the Minister of England in Yedo. Both the British and Russian vessels stopped several months in spite of the protests and requests made by our Government to leave the island.*

This occupation was not ordered by the Russian Government. By this digression we desire to show our readers that seventeen years ago the island of Tsushima attracted notice, as important as Cyprus has lately done in regard to Turkey. In 1862, the Tokugawa Government sent ambassadors to the Treaty Powers to require the opening of Hiogo, Niigata, Osaka, and Yedo to trade, to be deferred owing to civil disturbances in Japan. When the ambassadors arrived in England, the late Earl Russell, Secretary of State for Foreign Affairs, persuaded them to open the island of Tsushima to foreign trade, and we read in the London Protocol.

"(The Envoys of the Tycoon accredited to Her Britannic Majesty announce their intention) 'on their return to Japan to submit (to the Tycoon and his Ministers) 'the poli

* This is quite incorrect, as Sir James Hope, the Commander of the British naval force at the time in China, actually forced the Russians to leave Tsushima. It is said he used threats of opening fire upon earthworks which would soon have been turned into permanent batteries. Sir James Hope's services to Japan on this occasion should have protected him from the erroneous and injurious comments.—Ed. J. G.

[illegible] to foreign com-
[illegible] this [illegible]ima in Japan, as
[illegible]ure by which [illegible]terests of Japan
[illegible]o materially [illegible]."

[illegible] their arrival at Paris, the envoys were
[illegible]ed by M. Thouvenel, Minister for For-
[illegible] Affairs, to do the same, and we do not
read in the treaty of Paris:—

"On their return, the Japanese Ambassadors will endeavour to induce their Government to open Korea to trade."

Though these words correctly represent the verbal advice given to our envoys. When the envoys went to Russia, they found there quite different opinions and Gortschakoff, Minister for Foreign Affairs, said that any such course must be followed by severe injury to Japan.

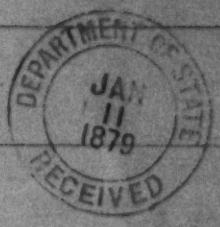
From these we can clearly judge the purpose of these countries. They differ in opinion, because they desire to promote their own advantage, not that of Japan. Let us examine what is advantageous and what disadvantageous to Japan with regard to Korea! As the island of Tsushima is in a most important position, [illegible] close to Korea, there should be an army and navy stationed there. After that we should teach the Koreans to understand the benefits likely to arise from opening their country to trade. The Korean peninsular must not be occupied by Russia or China. According to the present condition of things the latter country has no power to do anything in the east. Will, then, the Japanese take possession of Korea? This we do not think. Not only is the Korea of no value to Japan, but as it now is it is a perpetual barrier [illegible] other nations.

From this it is clear that the independence of Korea tends to maintain the balance of power in the East, and is consequently advantageous to Japan. The most necessary thing to be done by us now is to preserve friendly relations with the Koreans, whom we can gradually lead on to civilization and instruct them to enter into treaties with [illegible] and other countries, in order [illegible] their independence. As the peninsula [illegible] important factor in the great East[illegible], it is necessary for the Government to make preparations in anticipation of possible, and indeed probable, events.

Pres Jan 18

Note sent to Mr. Scanlan.
C. P.
Wade

No 14.



United States Legation,
Japan,
Tokei, December 10, 1878.

Mr Stevens
to the
Hon. Secretary of State.

Subject.

Customs Report for October 1878
Excess of exports yen 597,622 20; Ex-
cess of export of coin and bullion
yen 420,263 81. Silk and tea the
principal exports.

Enclosures

Duplicate copies of the Customs
Report for October.

No 14.

United States Legation,
Japan,
Tokei, December 10, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to enclose for your information the report of the Customs of Japan for October last.

It appears by this report that during the month named the value of domestic productions Exported exceeded the value of foreign articles imported by yen Five hundred and

and ninety seven thousand six hundred and twenty two 20/100 (¥97,622 20/100), the former having been yen Three million two hundred and ninety eight thousand five hundred and eighty two 38/100 (¥3,298,582 38/100), and the latter yen Two million seven hundred thousand nine hundred and sixty 18/100 (¥2,700,960 18/100).

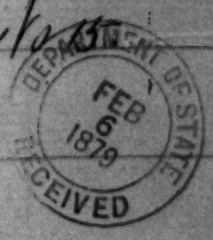
The total value of coin and bullion exported was yen Seven hundred and twenty four thousand five hundred and twenty seven 81/100 (¥724,527 81/100), while the import amounted to yen Three hundred and four thousand two hundred and sixty four (¥304,264 00/100), a difference of yen Four hundred and twenty thousand two hundred and

and sixty three 81/100 (420,263 81/100)
in favor of the export.
The two largest items of export
were raw silk and tea, the
former valued at yen One
million four hundred and
twenty five thousand two
hundred and seventeen 17/100
(1,425,217 17/100), and the latter
at yen Three hundred and
seventy six thousand and
seventy two 67/100 (376,072 67/100).

I have the honor to be,
Sir,
Your obedient servant,
D. W. Stevens.

Mr Wade

No. 15



United States Legation,

Japan,

Tokei, December 14, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Receipt of Instructions 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390 and 391, and also of a record book for the Legation.

No 15.

United States Legation,

Japan,

Tokei, December 14, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington D.C.

Sir:

I have the honor to acknowledge the receipt of Instructions numbered 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390 and 391, and also a record book for the use of this Legation.

I have the honor to be,

Sir,

Your obedient servant,

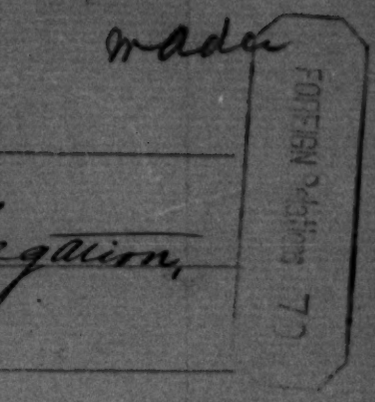
D. W. Stevens

Copy to Treasury Feb. 14, 1879 Mr Polk.

Note - send copy to Treasury 6. P.

Made

No 16.



United States Legation,

Japan,

Tokei, December 19, 1878.

Mr Stevens

to the

Hon. Secretary of State

Subject.

Enclosing Mint report for year ending June 30, 1878. Increase in silver and copper coinage. Reduction of the foreign staff. Withdrawal of the trade dollar and issuance of the one yen piece of 416 grains. Advantage to be derived from the substitution of a reliable coin of this kind for the Mexican dollar.

Enclosures

Enclosures.

Duplicate copies of the Mint Report.

No 16.

United States Legation,
Japan,
Tokei, December 19, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

I have the honor to enclose for your information duplicate copies of the report of the Commissioner of the Imperial Mint at Osaka, Japan, for the year ending June 30, 1878. The total value of the coinage at the Mint from its establishment to the above date is yen Eighty two million seven hundred and eighty five thousand three hundred and

ninety

ninety seven 63/100 (82,785,397 63/100.)

During the present year the principal coinage has been of silver and copper, the amounts being, silver, yen Four million thirty one thousand three hundred and forty five 757/100, and, copper, yen Nine hundred and fifty nine thousand four hundred and six 43/100; while gold was coined only to the amount of yen Three hundred and fifty seven thousand five hundred and seventy eight.

These figures indicate progress in the substitution of coins of modern design and neat finish for the subsidiary copper coinage which was in former times almost the only metallic currency in active use.

The

the large foreign staff under whom the Mint was inaugurated, all of whom were Englishmen, has been reduced to two persons only, an assayer and an engineer.

On page 24 of the report you will observe a notification by His Excellency Sanjo Sanetomi, Prime Minister, dated the 25th of last May, to the effect that the trade dollar is made a legal tender within this Empire for all public and private transactions. The coin referred to is of the same standard as our own trade dollar, (420 grains and 900 fineness), and upon its introduction to the Eastern market met with a similar reception. It has been forced out of circulation by

by the inferior Mexican dollars, and, instead of becoming a general medium of exchange for the trade of the East, has found its way to the melting pot almost before it began to serve the purposes of money. Apparently not discouraged by this failure to introduce into circulation a reliable coin for the use of commerce, the Japanese Government, as shown by Mr Sanjo's notification of the 25th of May, endeavored to ensure the domestic circulation of their trade dollars. But here also, and in a very short time, they have met with disappointment. On the 30th of last month Mr Sanjo issued a second proclamation, wherein it is announced that the trade dollar

is

is withdrawn from circulation and the silver one yen piece substituted. The one yen piece was first coined in 1874, and was of the same standard as the best Mexican dollar, viz 416 grains (minimum) 900 fineness. Although this coin was rapidly coming into general circulation, the Government for some unexplained reason ceased its coinage in 1875 and issued the trade dollar of 420 grains. As intimated, this latter coin has been under the disadvantage of competition with an inferior dollar, and has, in consequence, been of little use as a medium of exchange. By coining in its stead a dollar of fine appearance and approved standard, but not so much

much more valuable than the Mexican dollar as to make its conversion into bullion profitable, the Japanese Government has rendered a great service to commerce in the East. The Mexican dollar, of clumsy pattern and varying design, counterfeited both at home and in the East, fluctuating in value at a favorite object of speculation, has become a hindrance rather than an aid to trade. If the Japanese Government succeeds in substituting for it a reliable coin, which shall not vary in value at different hours of the day, as suits the interest or whim of Chinese "shroffs" and "compradores," it will have conferred a no substantial

substantial benefit upon all nations trading in the East, and will have ended, as well, one of the most vexatious of the petty annoyances of life in China and Japan.

I have the honor to be,

Sir,

Your obedient servant,

D. H. Stevens.

Ack. C.P.

Wader

No. 17

To Jours. B.

DEPARTMENT OF STATE
FEB 6 1879
RECEIVED

United States Legation,

Japan,

Tokei, December 23, 1878

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Dr David Murray, on the termination of his engagement as Educational Adviser, receives from the Japanese Government the decoration of the third class of the Order of Merit and 1500 yen. Progress of education in Japan.

No 17.

United States Legation.

Japan,

Tokei, December 23, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington, D.C.

Sir:

On the 18th instant Dr David Murray, the American gentleman who has acted for the past five years in the capacity of Adviser to the Japanese Department of Education, received from His Majesty the Emperor the decoration of the third class of the Order of Merit and from the Department of Education a present of Fifteen hundred yen. Dr Murray's engagement has terminated and he

is

is about to return to the United States. The marks of distinction conferred upon him by the Japanese Government, well deserved as they are, are as gratifying to his countrymen in Japan as they must be to himself. No foreigner in the service of this Government has had a nobler field than he, and none, I am sure, have acquitted themselves more creditably.

The advance of education in this Empire within the past five years has been one of the most encouraging signs of the progress of Japan. Not only is this true of the training in the colleges of this and other cities of large numbers of students in the sciences, professions and foreign languages, but also

of the general diffusion of knowledge by the systemization of primary education and the establishment of Normal Schools in all parts of the country. The attention paid to bettering the condition of the women of Japan by establishing institutions for their higher education, is not the least noticeable feature of the work done by the Department of Education during Dr Murray's term of service. In this, as in other directions, the officials of that Department cordially acknowledge their obligations to his trained knowledge and intelligent advice.

I have the honor to be,

Sir,

Your obedient servant,

D. C. Greene

Mr Adee

Meteorological Tables &c
to Navy Dept. for S.O.
Feb. 10. 1879
Wm Pelt.

No 18.

United States Legation,

Japan,

Tokei, December 24, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Enclosing meteorological observations from the 13th October to the 21st November, and synopsis of observations for October.

Enclosures.

1. Meteorological observations, 13th Oct - 21st Nov.

2. Table of observations for Octobr.

No 18.

United States Legation,

Japan,

Tokei, December 24, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington D.C.

Sir:

I have the honor to transmit herewith tables of meteorological observations taken at the Imperial Observatory in this City from the 13th of October to the 21st of November last, inclusive, and also a synopsis of observations for the month of October.

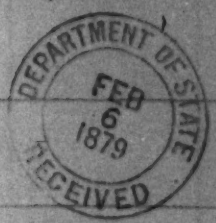
I have the honor to be, Sir,

Your obedient servant,

D. A. Stevens

Wm Adee
Mr Benedict

No 19.



United States Legation,

Japan,

Tokei, December 26, 1878.

Passports issued
No. 13.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Five passports issued during the
Quarter ending December 31, 1878.

Enclosure.

Department passport No 51,483.

No 19.

United States Legation,

Japan,

Tokei, December 26, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington D.C.

Sir:

I have the honor to report that during the present Quarter five passports have been issued from this Legation, viz:

No 17. ~ October 14, 1878; to Peter Vroman Veeder, a natural born citizen of the United States.

No 18. ~ October 22, 1878; to David Murray, a natural born citizen of the United States, accompanied by his wife.

No 19. ~ October 22, 1878. to Dixie Bethune McCarter, a natural born citizen of the United States.

No

No. 20. November 8, 1878; to John Baxter Hail, accompanied by his wife.

No 21. November 25, 1878; to William Horace Morse, a natural born citizen of the United States, accompanied by his wife and two minor children.

In all these cases, except that of Mr Hail, the applicants made the usual affidavits and took the oath of allegiance, as prescribed by the regulations. Passport No 20 was issued to Mr Hail upon Department passport No 5-1,413, which was forwarded to this Legation by Mr Stahel, United States Consul at Osaka and Hiogo, from Kobe, where Mr Hail resides, and which I have the to return herewith.

The passport fees received you will

will find accounted for in my Statement of account for the Quarter.

I have the honor to be,

Sir.

Your obedient Servant,

D. W. Stewart

United States of America.

DEPARTMENT of STATE.

To all to whom these presents shall come Greeting:

I, the undersigned, Secretary of State of the United States of America,
hereby request all whom it may concern to
permit John Baxter Hail
a CITIZEN of the UNITED STATES accompanied
by his wife safely
and freely to pass, and in case of need to give
him all lawful Aid and Protection.

DESCRIPTION.

Age 30 Years
Stature 5 Feet 9½ Inches Eng.
Forehead broad, with scar
Eyes hazel
Nose aquiline
Mouth large
Chin narrow, long
Hair dark, brown
Complexion medium
Face long, narrow

Signature of the Bearer.

J B Hail

Given under my hand and the
Seal of the Department of State,
at the City of Washington,
the 30th day of October
in the year 1876 and of the
Independence of the United States
the one hundred & first

Hamilton Fish

No 51483

[U.S. Legation – Japan]

Pittsburgh Pennsylvania
December 27- 1878.

Honorable William M. Evarts
Secretary of State,

Sir: I have the honor in reply to
your enquiry when I "may be
expected in Washington" to acquaint
you that I expect to leave this place
for Washington on the 3d proximo
and hope to arrive on the same day.

I beg leave to say that but for the
indisposition of my family & myself
since coming hither I should have
reported at the Capital before this
date. Your letter of the 23d instant
was not received until this morning.

I have the honor to be Dear Sir
With great respect
Your obedient Servant
Jno. A. Bingham

Wade

No 20.

United States Legation,

Japan,

Tokei, December 27, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Acknowledging the receipt of Instructions Nos 392, 393, 394, 395, 396, 397, and Separate Instruction dated November 22, 1878, with reference to yearly report of passports.

No 20,

United States Legation,

Japan,

Tokei, December 27, 1878.

Hon. William M. Evarts,

Secretary of State,

Washington D.C.

Sir:

I have the honor to acknowledge the receipt of your Instructions numbered 392 (with enclosure) 393, 394, 395, 396 and 397, and also a separate Instruction, dated the 22d ultimo, in reference to annual statement of passports issued from this Legation.

I have the honor to be, Sir, Your Obt. Servant,

D. A. Stevens.

Received in order; except Japan dat. to ask'd Feb. 8. date

Mr Adee

1021.

United States Legation,

Japan,

Tokei, December 27, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

Forwarding five mail pouches.

No 21.

United States Legation,
Japan,
Tokei, December 27, 1878.

Hon William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

In obedience to the instructions conveyed in your No 390 I have the honor to forward to you by this mail five mail pouches, which, together with the one in which this despatch is transmitted, are all the mail pouches in the Legation

I have the honor to be, Sir,
Your obedient servant,
D. B. Sickel.

Ack. C. R. 1879
Ack'd Feb. 8. 1879
m Park

Mr Alden

No 22.

United States Legation,

Japan,

Tokei, December 27, 1878.

Mr Stevens

to the

Hon. Secretary of State.

Subject.

As instructed, Mr Stevens offers to refund the expense incurred by Capt. Goushiro of the Japanese schooner "Tsuru Maru" in transporting to Hakodate a portion of the shipwrecked crew of the "E. B. Buffendeau". The Minister for Foreign Affairs replies to the effect that the expense was trifling and that it is not expected that it

will be refunded. Mr Clemens explains how the mistake arose in the name of the "Buffendeau"

No 22.

United States Legation,
Japan,
Tokei, December 27, 1878.

Hon. William M. Evarts,
Secretary of State,
Washington D.C.

Sir:

Referring to Instructions Nos 381 and 386 in relation to the wreck of the American schooner "E.B. Buffendeau" on the island of Etorus, I have the honor to inform you that in accordance with your directions I addressed a communication to Mr Mori, Acting Minister for Foreign Affairs, offering to refund the expenses

incurred

incurred by Captain Goodhue of the Japanese schooner "Town Maru" in transporting the Captain and four of the crew of the "Buffendeau" from the scene of the shipwreck to Hakodate. To this Mr Terashima has replied, to the effect that the services to the shipwrecked crew were rendered by the Kaitakushi authorities; that the sums expended was trifling; that no compensation is expected, but that he will take pleasure in conveying to the proper authorities the kind intention of our Government.

I desire to add that when Mr Bingham reported the loss of the "Buffendeau" in his No 847 of the 10th of last September, the only account which he had

received

received of the disaster was contained in a communication from the Minister for Foreign Affairs, enclosing a report from the authorities of the Kaibakushi Bureau, both of which documents were in Japanese and gave the name of the shipwrecked vessel as "Bofuid".

I have the honor to be,

Sir,

Your obedient servant,

D. W. Stevens.